

218

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-5855-2022

Date of Decision:- 11.05.2023

Veer Pal

...Petitioner

Vs.

State of Punjab

... Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Jagjit Singh, Advocate
for the petitioner.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Veer Pal has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 24 dated 06.02.2021, under Section 304-B of I.P.C. registered at Police Station Sadar, Nakodar, District Jalandhar.

The facts of the case are that the complainant Gurdev Singh gave his statement to the police that his elder daughter got married with Veer Pal about one year ago. Soon after marriage, her husband started ill treating her. About 10 days prior to the occurrence, his daughter called him and informed that she was beaten up by her husband and she requested him to bring her back. Infact few days prior to this call, his daughter was sent back in the matrimonial home with the intervention of respectables and relatives. At that time, she was threatened by her sister-in-law that in case she did not return to the matrimonial home, her husband would do

something. She was always maltreated in the matrimonial home by saying that she did not bring articles from her parental house. On 04.02.2021, Veerpal gave beating to his daughter and thereafter, she was killed by hanging. He was not informed about this occurrence. Infact, he came to know on 05.02.2021 when they were to cremate his daughter. The complainant alongwith the respectables approached the police. Earlier due to mental shock, he could not give his statement. With these allegations, present FIR has been registered.

Learned counsel for the petitioner argued that Veer Pal was arrested in this case on 07.02.2021 and since then he is behind the bars. All the allegations levelled against him are false. Infact she was not having cordial relations with her own family. She was beaten up by her father. Thereafter, she left her parental house and started living with the petitioner as his friend. After few days she was taken back to her parental house where she was again tortured. She was depressed when she came to his house and committed suicide by hanging. All facts stated by the complainant are false. Learned counsel for the petitioner pointed out that the petitioner never got married with the victim, therefore, no offence under Section 304-B of I.P.C. is made out.

Learned counsel representing the State opposed the bail application by alleging that there are specific serious allegations against the petitioner. After completion of investigation, challan has been presented and the charge-sheet is also framed. It is pointed out that two witnesses are already examined. The learned counsel for the petitioner placed on record the statement of Gurdev Singh PW-1 recorded on 17.12.2021. Thereafter, the prosecution had filed application under Section 319 Cr.P.C. It is argued that in the said statement, the complainant fully

supported the prosecution case. Considering the gravity of offence and specific allegations, he is not entitled to be released on bail.

I have considered the arguments and have gone through the record carefully. It is matter of record that after completion of investigation, challan is already presented and he has been charge-sheeted under Section 304-B of I.P.C. After the framing of charge-sheet, even statement of Gurdev Singh – complainant has been recorded in which he supported the prosecution version and the allegations levelled in the FIR. The further examination-in-chief was deferred as the prosecution wanted to file application under Section 319 Cr.P.C. The statement of another witness SI Inderjit Singh PW-2 was also recorded in examination-in-chief. The aforesaid facts indicate that the evidence of prosecution is under progress. The complete statement of complainant is yet to be recorded. There are specific serious allegations against the present petitioner. The alleged occurrence took place in the house of petitioner. The complainant further alleged that without informing him the petitioner and his family was going to cremate the body of victim. Whereas, the petitioner has denied his marriage with the victim by alleging that they were merely friendly with each other. So far as this aspect of the case is concerned that is to be decided by the trial Court after recording of evidence. A young lady died unnatural death in the house of present petitioner. There is every chance that the petitioner, if released on bail, may influence the prosecution witnesses. Therefore, considering these facts, at this stage, I do not find a fit case for grant of regular bail to the petitioner – Veer Pal and the same is accordingly, declined without expressing my mind on the merits of the case. The learned Trial Court is directed to expedite the trial.

The petition is accordingly, disposed of.

11.05.2023
lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No