

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

CRM-M-13057-2023 (O&M)

Date of Decision: 15.09.2023

TARSEM SINGH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Manpreet Ghumman, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

Mr. Garvit Mitta, Advocate for the complainant.

VIVEK PURI J. (Oral)

1. The petitioner is seeking regular bail in the case bearing FIR No. 12 dated 01.02.2022 under Sections 304-B/34/201 of Indian Penal Code registered at Police Station Julkan, District Patiala.

2. Custody certificate filed and the same is taken on record.

3. Briefly, as per the allegations of the prosecution, the marriage of the deceased was solemnized with Sukhwinder Singh @ Sonu, the son of the petitioner on 25.10.2021. Substantial dowry articles were given at the time of marriage. The family members of the in-laws of the deceased had been raising demand of Car and had been harassing the deceased on that score. The complainant, who is the uncle of the deceased, had assured the husband of the deceased that the car will be given, as and when he gets Government job. The deceased died on account of hanging on 31.01.2022.

4. Learned counsel for the petitioner contends that petitioner is the

father-in-law of the deceased and is in custody for a period of 01 year 07 months and 14 days. He is not involved in any other case. The wife of the petitioner has been granted regular bail in terms of the order dated 21.08.2023 passed by a Co-ordinate Bench of this Court in CRM-M-39621-2023. The deceased was a graduate and was not happy with the marriage as the son of the petitioner was only 12th pass and has committed suicide on that score. The false allegations with regard to demand of dowry have been raised.

5. The Learned State counsel has opposed the bail application on the score that the death occurred otherwise than under normal circumstances within a period of 03 months from the marriage and moreover there are specific allegations to the effect that the deceased was being harassed on account of demand of dowry. Furthermore, out of 30 prosecution witnesses, 04 have been examined.

6. It is significant to note that more or less similarly situated co-accused namely Meena Rani, who is wife of the petitioner has been granted the concession of bail. The petitioner is father-in-law of the deceased and it will be a debatable and moot point during the course of trial as to whether the demand of car could be for the benefit of the petitioner. Still 26 witnesses remain to be examined. The petitioner is in custody for a period of 01 year 07 months and 14 days. The conclusion of trial is likely to take some time. The petitioner is not involved in any other case. No useful purpose would be served by keeping the petitioner in further custody.

7. As such, sufficient mitigating circumstances are made out to

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grant the petitioner, concession of bail. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

8. The petition is allowed.

15.09.2023
Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No