

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**214****CRM-M No.29477 of 2023****Reserved on : 20.07.2023****Date of Decision : 27.07.2023**

Satya Devi @ Satya and Another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vikas Bali, Advocate for the petitioners.

Mr. Adhiraj Singh Thind, AAG Punjab.

ALKA SARIN, J.

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.19 dated 13.02.2023 under Sections 304-B and 34 of the Indian Penal Code, 1860 registered at Police Station Meharban, District Ludhiana.

2. The brief facts relevant to the present case are that one Amar Singh made a police complaint that his daughter, namely Vikramjit Kaur @ Vicky, was married to Krishandheer in March 2021. There was a matrimonial dispute between his daughter Vikramjit Kaur @ Vicky and Krishandheer. A male child was also born at the parental house of Vikramjit Kaur @ Vicky. After 25 days of the birth of the child, Vikramjit Kaur @ Vicky was pressurized to go to her matrimonial home. For 02 months things remained normal. Thereafter, there was a quarrel between Vikramjit Kaur @

Vicky and her husband Krishandheer. Vikramjit Kaur @ Vicky came back to her parental house. On 09.02.2023 Krishan Dheer came to take Vikramjit Kaur @ Vicky to the matrimonial house, however, they did not agree and thereafter Krishan Dheer came with his mother, namely, Satya Devi @ Satya (petitioner No.1 herein), his sister and sister-in-law and on their insistence Vikramjit Kaur @ Vicky was sent back to the matrimonial home. On 13.02.2023 a message was received that Vikramjit Kaur @ Vicky had suffered a heart-attack and on reaching her matrimonial home they found that the dead body of Vikramjit Kaur @ Vicky was lying on a cot and there were signs of hanging on her neck. Accused Satya Devi @ Satya (petitioner No.1), Pal Chand (petitioner No.2) and Krishan Dheer all fled from the spot. FIR was registered. The allegations are of demand of dowry and that Vikramjit Kaur @ Vicky had died in suspicious circumstances.

3. Learned counsel for the petitioners at the outset has referred to order dated 27.04.2023 passed by this Court in CRM-M-15849-2023 titled 'Balwinder Kaur alias Bindu vs. State of Punjab' to contend that the sister-in-law of the deceased Vikramjit Kaur @ Vicky has been granted anticipatory bail by this Court and that the petitioners are similarly situated and, hence, on the ground of parity alone they would be entitled to the concession of anticipatory bail. It is further the contention that the petitioners have falsely been implicated in the present case.

4. Status report by way of affidavit of Gurdev Singh, PPS, Assistant Commission of Police (East), Ludhiana has been filed wherein it has been stated that the allegations in the FIR are that the complainant's co-brother, namely, Lachhman Singh, got a call that the complainant's daughter had suffered a heart-attack and when they went to the matrimonial home

they saw the dead body of Vikramjit Kaur @ Vicky lying on a cot and there were strangulation marks on her throat. It has further been stated that when the complainant went to inform the police all the accused ran away from the house.

5. I have heard learned counsel for the parties.

6. In the present case serious allegations have been made against the accused. The petitioners in the present case are the mother-in-law and father-in-law of the deceased who were admittedly residing in the same house. As per allegations in the FIR, the complainant's co-brother, namely, Lachhman Singh, received a phone call that Vikramjit Kaur @ Vicky had suffered a heart-attack. However, when the complainant reached the matrimonial home of his daughter, he saw the dead body of his daughter lying on a cot and there were strangulation marks on her neck. When he went to lodge a complaint, all the accused ran away from the house. Though much emphasis has been laid by learned counsel for the petitioners on the order dated 27.04.2023 passed in CRM-M-15849-2023 to contend that the daughter of the petitioners, who is similarly situated, has been granted anticipatory bail by this Court, however, the case of the present petitioners is totally on a different footing from that of their daughter inasmuch as it has been noticed in the order dated 27.04.2023 that the petitioner therein was a married sister of Krishandheer and was residing in a different village at a distance of about 15 kms. The present petitioners admittedly were residing in the same house as the deceased and hence the petitioners cannot claim any parity.

7. In view of the serious allegations made against the petitioners, I do not find it to be a fit case to grant anticipatory bail to the petitioners.

8. The present petition is accordingly dismissed. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

27.07.2023

jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO