

207

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

CRM-M-30921-2023

Date of Decision:- 16.08.2023

SAVITRI DEVI

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gitesh Sharma, Advocate for the petitioner.
Mr. Rohit Ahuja, DAG Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Savitri Devi has filed the instant 2nd petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.19, dated 28.02.2023 under Sections 304-B & 34 IPC registered at Police Station PAU, Ludhiana (Punjab).

2. The facts of the case are that the complainant Shri Pal gave his statement to the police that he is a private teacher and father of two sons and three daughters. The marriage of his younger daughter i.e. the victim aged about 23 years, was solemnized with Sandeep on 23.04.2022. The in-laws family of his daughter were raising demand for a Car and cash of Rs.2 Lacs. He had given a Pulsar motorcycle and cash of Rs.1,15,000/- at the time of marriage. The in-laws family started maltreating his daughter on account of their demand. On 27.02.2023 at about 11 am, his wife Kiran

received call from his daughter that her mother-in-law Savitri and husband Sandeep were quarreling with her and were threatening to kill her. Thereafter, at about 3 PM he received call from his son-in-law Sandeep that his daughter had committed suicide by hanging herself. He along with the relatives reached the matrimonial home of his daughter. He came to know that his daughter was beaten up by her mother-in-law Savitri and son-in-law Sandeep on account of their demand for dowry. With these allegations the present FIR has been registered.

3. Learned counsel for the petitioner pointed out that the petitioner is an old lady who was living in a separate room in the same house. She is falsely implicated in this case. The marriage was performed in a simple manner. She was always treated with love and affection. In the bail application it is alleged that the deceased victim used to consume liquor. She used to come home with friends in drunkard condition and on the objections raised by her husband she did not change. Regarding the present petitioner, it is pointed out that she is suffering from various ailments. The main accused Sandeep has already been arrested by the police. She is also ready to join the investigation. Therefore, her anticipatory bail application may be allowed.

4. The bail application is opposed by learned counsel representing the State. The detailed status report has been filed. It is argued that there are specific allegations against the present petitioner. She is yet to join the investigation. The victim died in the matrimonial home within a period of less than one year of her marriage. Therefore, it is prayed that the anticipatory bail application filed by the present petitioner may be dismissed.

5. I have considered the arguments and have gone through the record. The first anticipatory bail application bearing CRM-23330-2023 was dismissed as withdrawn as per order dated 02.06.2023 which is Annexure P-4. I have gone through the contents of FIR. The marriage of the victim took place with Sandeep on 23.04.2022 and this unfortunate occurrence took place on 27.02.2023. Therefore, the victim died in the matrimonial home within a period of less than one year. There are specific allegations of maltreatment on account of demand of dowry. The learned State counsel pointed out that father-in-law of the deceased victim is also living in the house who is bed ridden and no allegations are levelled against him. The contents of FIR indicate the specific serious allegations against the present petitioner who is mother-in-law of the deceased victim. Considering the gravity of offence, I do not find a fit case for anticipatory bail and the same is, accordingly, declined.

16.08.2023

*snd***(AMARJOT BHATTI)**
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No