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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32540-2023
Date of Decision:- 02.11.2023.

Akshay Kumar

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ashok Arora, Advocate for the petitioner.

Mr. Narender Singh Behgal, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. The petitioner – Akshay Kumar has filed the instant 2nd petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in FIR No. 270 dated 03.06.2020 under Sections 304-B and 316 of IPC, registered at Police Station City Fatehabad.

2. The facts of the case are that Hazari Lal the complainant gave his statement to the police that his elder daughter i.e. victim aged about 25 years got married with Akshay Kumar on 10.07.2019. He had given dowry beyond his capacity even then her husband and in-laws family were unhappy with the dowry articles. She was taunted and beaten up on account of their demand for dowry. He and his brothers Rinku Ram and Dev Raj tried to make them understand as they had already spent huge money at the time of marriage. They harassed and humiliated them. On 02.06.2020, the victim told him by calling that she was being harassed on account of demand of jewellery. He tried to make her understand that they

would come after the lock down period. In the morning i.e. on 03.06.2020, he received a call from Veer Singh, father-in-law of his daughter that on the previous night his daughter ended her life by hanging herself. On getting this information, he along with his brothers reached the matrimonial home of his daughter. His daughter was lying dead, she was around eight months pregnant. There were marks on her neck. Due to the cruel behaviour of her husband and in-laws family his daughter ended her life by hanging and as a result the unborn child also died. With these allegations, the present FIR has been registered.

3. Learned counsel for the petitioner argued that all the allegations levelled against the petitioner are false. No offence under Section 304-B of IPC is made out. The statement of complainant has been recorded. His testimony is unreliable. No suicide note was recovered. The petitioner was arrested on 12.06.2020 and since then he is behind the bars. He is ready to abide by the terms of bail order. It is prayed that his 2nd regular bail application may be allowed. He further pointed out that the 1st regular bail application bearing CRM-M-8583-2021 was withdrawn vide order dated 17.03.2023.

4. Learned State counsel opposed the bail application taking the stand that there are specific serious allegations against the present petitioner. He is the main accused. The marriage of the deceased victim was solemnized with the present petitioner on 10.07.2019 and the victim died unnatural death on the intervening night of 2/3.06.2020. At the time of her death, she was eight months pregnant. There are serious allegations of maltreatment on account of demand of dowry. Therefore, the present petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record carefully. In the case in hand the present petitioner was arrested on 12.06.2020. The case is fixed for prosecution evidence. As per the detailed status report, till date out of 17 prosecution witnesses, 08 witnesses have been examined including the complainant. The statement of complainant is on the record in which he has supported his version. It cannot be ignored that the victim ended her life by hanging within one year of marriage when she was eight months pregnant.

Considering the gravity of offence, I do not find a fit case for grant of regular bail to the petitioner – Akshay Kumar and the 2nd regular bail application is, accordingly, declined. It cannot be ignored that the present petitioner was arrested on 10.06.2020. He is behind the bars for a period of more than three years. Therefore, the learned trial Court is directed to expedite the trial.

Pending application(s), if any, shall also stand disposed of.

02.11.2023

Sunil Devi

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned
Whether reportable

:Yes/No
:Yes/No