

(211-3)**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-36246-2022
Date of Decision: 16.01.2023

Jaswinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present : Mr. Tahaf Bains, Advocate for the petitioner.

Mr. Jashandeep Singh, A.A.G. Punjab.

Mr. R.V.S. Chugh, Advocate for the complainant.

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed under Section 438 of the Code of Criminal Procedure, 1973, for grant of Pre-arrest bail in FIR No.0111 dated 14.07.2022, registered under Sections 306, 34 IPC, (Section 304-B IPC, added later on), at Police Station Sadar Bathinda, District Bathinda, Annexure P-1.

As per allegation in the FIR, marriage was solemnized on 22.4.2020. The incident alleging consumption of pesticide by the deceased-wife is dated 27.06.2022. She was immediately taken to the hospital where she died on 12.07.2022. FIR in question was lodged on 14.07.2022 and the supplementary statement of the complainant was recorded, whereupon the offence under Section 304-B IPC was also added. There are specific allegations of

harassment and maltreatment of the deceased on account of demand of dowry.

Learned counsel for the petitioner contends that initially offence under Section 304-B IPC was not there and only subsequently allegations in that regard were levelled. Even while the deceased was under treatment, the allegations were not there. Therefore, the same cannot be believed.

Learned State counsel on instructions from HC Lachhman Singh, submits that FSL report has been received and the cause of death has been ascertained, as due to poison. He further submits that the custodial interrogation of the petitioner is required to go to root of the matter.

The allegations are serious in nature. Specific attribution is there. The incident occurred shortly after the solemnization of marriage. Investigation is at the initial stage. Custodial interrogation of the petitioner is required to ascertain facts of the case.

Dismissed.

16.01.2023
rajeev

(TRIBHUVAN DAHIYA)
Judge

Whether speaking/reasoned Yes/No

Whether reportable Yes/No