

CRM-M-37525-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37525-2022 (O&M)

Date of Decision:- 31.05.2023

Parveen Kumar

...Petitioner

Vs.

State of Punjab and anr.

... Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gaurav Datta, Advocate
for the petitioner.

Mr. Kunwarbir Singh, Assistant A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

CRM-24318-2023

This is an application under Section 482 Cr.P.C. for placing on record statement of PW-2 namely Ajay Kumar dated 18.05.2023 as Annexure P-17.

For the reasons enumerated in the application, the same is allowed and accompanied document Annexure P-17 is taken on record.

CRM stands disposed of.

CRM-M-37525-2022

1. The petitioner –Parveen Kumar has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 258 dated 10.07.2021, under Section 304-B, 120-B of IPC (offence under Section 498-A of IPC added later on), Police Station Sohana, District Mohali (Annexure P-1).

2. The facts of the case are that Ajay Kumar – complainant who is the brother of deceased victim gave his statement to the police that marriage of his sister Lalita was performed with Parveen Kumar on 19.02.2019. Soon after marriage, she was harassed by her husband and in-laws family for bringing less dowry. She was maltreated in the matrimonial home by her husband and other members in the family. She was not permitted to visit her parental house alone. She was telling everything to her mother Sheela Devi by calling her at night time. On 03.07.2021, his sister visited their house alongwith her husband Parveen Kumar and father-in-law Satyawar. She again disclosed about harassment caused to her in the matrimonial home. She was taunted for giving birth to a baby girl. On 10.07.2021, Satyawar- father-in-law called the father of complainant namely Leela Ram at about 12 O'clock noon that Lalita had expired. They reached Fortis Hospital, Mohali and saw marks on the neck of his sister. Satyawar could not give any satisfactory reply. His sister died due to hanging as she was being harassed by her husband and in-laws family for bringing less dowry. With these allegations, present FIR has been registered.

3. Learned counsel for the petitioner argued that Parveen Kumar is behind the bars since 10.07.2021. The challan in this case has been presented and the prosecution evidence is being recorded. The allegations levelled against him and the entire family are false. He has placed on record some of the photographs of the deceased victim in the matrimonial home which are Annexure P-5. It is argued that the statement of material witness Sheela Devi has been recorded as PW3, which is Annexure P-14 and P-16. Trial of this case may take some time. He is ready to abide by the terms of bail order. Therefore, his regular bail application may be

allowed.

4. The bail application is opposed by learned counsel representing the State. It is argued that a young lady lost her life due to the maltreatment given to her in the matrimonial home on account of their demand for dowry. The allegations are serious. Therefore, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record carefully. In this case, the marriage of petitioner took place with the victim on 19.02.2019. The unfortunate incident took place on 10.07.2021 when the victim died unnatural death in the matrimonial home. She has left behind a female child. The present petitioner is the husband of the deceased victim. Sheela Devi, mother of the deceased victim as PW3 has supported the entire prosecution case. The rest of the evidence is yet to be recorded. Trial of this case is under progress. Therefore, considering the gravity of offence and without expressing my mind on the merits of the case, the regular bail application filed by the petitioner – Parveen Kumar is accordingly, declined.

31.05.2023
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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No