

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

CRM-M No.38265 of 2023 (O&M)
DATE OF DECISION : 17.08.2023

Harpal SinghPetitioner

versus

State of PunjabRespondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Achin Gupta, Advocate for the petitioner
Mr. Adhiraj Singh, AAG Punjab

ALKA SARIN, J. (Oral):

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.30 dated 08.05.2023 under Sections 304-B/34 of the Indian Penal Code, 1860 (IPC) (Section 201 IPC added later on) registered at Police Station Sadiq, District Faridkot.

2. Learned counsel for the petitioner would contend that the petitioner herein is the father-in-law of the deceased and that the mother-in-law and the son already stand arrested. The learned counsel has contended that during the two years of marriage, there were no complaints of any

demand of dowry and even in the FIR there are no allegations of any dowry having been given. The incident took place on 27.04.2023 when the deceased tried to commit suicide by hanging. She was immediately taken to the hospital by the family of the petitioner and she eventually died on 08.05.2023.

3. Learned counsel for the State, on instructions from ASI-Beant Singh, has pointed out that as per the post-mortem report the deceased was brought to the hospital with an alleged history of hanging and shock with OPC poisoning. Learned State counsel has further pointed out that froth from the mouth of the deceased was also noticed when the deceased was brought to the hospital. The learned State counsel has also referred to the order dated 04.08.2023 passed by the Judicial Magistrate Ist Class, Faridkot initiating proclamation proceedings against the petitioner as non-bailable warrants issued against the petitioner were received back unexecuted. The learned State counsel, on instructions from ASI-Beant Singh, has also pointed out that the parents of the deceased were only informed on 08.05.2023 i.e. after the death of their daughter despite the fact that she was admitted in the hospital on 27.04.2023.

4. Heard.

5. In the present case the deceased was married just about two years back and had a child, who was barely 1½ years of age. She is stated to have committed suicide by hanging. The record of the hospital, where the deceased was admitted, has been produced before the Court during the course of the arguments which reveals that the deceased was taken to hospital with an alleged history of hanging and poisoning (OPC). The

deceased was admitted in the GGSMCH, Faridkot on 27.04.2023 at 7.50 AM after she was brought there with alleged history of attempted suicide by hanging. Ligature marks on neck and froth from mouth were noted when she was brought in. The deceased eventually died on 08.05.2023. Strangely, though the deceased was admitted in the hospital on 27.04.2023, the parents of the deceased were only informed on 08.05.2023. The post-mortem report does not state the reasons for the death and was kept pending till the receipt of chemical analysis. Further still, the petitioner did not appear in the Court despite the issuance of non-bailable warrants against him and since the same were received back unexecuted, ASI-Nachhitar Singh suffered a statement that the petitioner was avoiding his arrest and thereupon proclamation proceedings were also initiated against him.

6. Keeping in view the above circumstances, I do not find this to be a fit case for grant of anticipatory bail. The petition is accordingly dismissed. Pending applications, if any, also stand disposed off.

17.08.2023
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(ALKA SARIN)
JUDGE

<u>NOTE:</u> Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
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