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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46962-2022

Date of Decision:- 18.05.2023

GINDO

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Abhimanyu Singh, Advocate for the petitioner.
Mr. Tanuj Sharma, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

The petitioner – Gindo has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.525 dated 05.09.2022 under Sections 304-B, 498-A and 34 IPC registered at P.S. Tosham, District Bhiwani (Haryana).

The facts of the case are that Bijender the complainant gave his statement to the police on 05.09.2022 against Mohan @ Monu and others. It is submitted that his sister i.e. victim Pooja was married with Mohan @ Monu on 20.06.2019 at village Sidhan. He had spent Rs.7 lacs at the time of marriage. The accused persons were unhappy with the dowry articles. They used to taunt his sister that she did not bring a motorcycle in marriage. His sister used to tell him about the maltreatment given to her in the matrimonial home. He gave her the assurance that with the passage of

time good sense will prevail upon them. On 23.08.2022 he received a call from a Sarpanch of village Sidhan namely Jai Parkash that his sister had committed suicide. He reached the house of his sister and found injury on the neck of his sister. The police was called. It is prayed that action be taken against the accused persons.

Learned counsel for the petitioner argued that Gindo is the mother-in-law who is an old lady aged about 67 years of age. She has not participated in any manner in the commission of offence. The husband of the victim was found to be innocent. Even she was not present in the house at the time of said occurrence. She is ready to abide by the terms of bail. It is prayed that her bail application may be allowed.

The bail application is opposed by learned State counsel representing the State. Detailed status report has been filed. It is argued that there are specific serious allegations against the present petitioner. However, she has joined the investigation on 14.11.2022. She got recovered one mobile phone Lava. The investigation is still going on. The present petitioner can flee from justice. Considering the gravity of offence she is not entitled to be released on bail.

I have considered the arguments and have gone through the record. The victim got married with Mohan @ Monu on 20.06.2019 and the victim died unnatural death on 23.08.2022. There are specific allegations that the victim was being harassed on account of demand of dowry i.e. the motorcycle. She was sharing her problem with her brother i.e. the complainant. As per the status report filed by the learned counsel representing the State only Gindo the present petitioner was found to be the accused. It came during investigation that before the alleged

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occurrence the victim as well as the present petitioner were present in the house and thereafter Gindo the petitioner had gone to the fields. Therefore, the facts indicate that the victim had last encounter with her mother-in-law i.e. Gindo. The investigation of the case is still going on. The allegations are serious. Therefore, considering the gravity of offence, I do not find a fit case for grant of anticipatory bail to the petitioner and the same is declined.

18.05.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No