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

CRM-M-47804-2023

Date of Decision:- 23.11.2023

SANDEEP KUMAR

....Petitioner.

Vs.

STATE OF HARYANA

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Pradeep Duhan, Advocate for the petitioner.
Mr. N.S. Behgal, AAG, Haryana.

AMARJOT BHATTI, J. (Oral)

1. The petitioner – Sandeep Kumar has filed the instant second petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.311 dated 05.06.2021 under Sections 406/498-A and 304-B of IPC registered at Police Station, Shivaji Colony, Rohtak.

2. The facts of the case are that Dr. Sanjeev Kumar - complainant gave his statement to the police that he is brother of 5 sisters. His younger sister Shilpa was married to Sandeep as per Hindu Rites on 07.05.2019. They had given dowry articles beyond their capacity. She was living in the matrimonial home in Janta Colony, Rohtak. After few days of marriage she was taunted by the entire family for bringing less dowry. His sister used to say that she was PGT and she was giving her entire salary to her in-laws. She showed her inability to bring more dowry. Their father passed away on 28.01.2020 even then there was no change in the behaviour of in-

laws family of his sister. She gave birth to a son on 23.03.2020. On that occasion, they had given gifts as per their capacity. Even then they were not satisfied. He arranged Rs.50,000/- and gave to her in-laws. They were pressurizing her to bring a car. On seeing the condition of his sister he arranged Rs.2 lacs and gave it to them to satisfy their demand. They again started pressurizing her to bring money from her parental house to purchase a plot for Sandeep. He was not in a position to give more money. Ultimately his sister committed suicide as she was unable to satisfy their greed for dowry. With these allegations the present FIR was registered.

3. Counsel for the petitioner argued that all the allegations regarding demand of dowry are false. The wife of Sandeep used to keep her own salary. She was never pressurized or ill-treated on account of demand of dowry. She was kept happily in the matrimonial home. Learned counsel for the petitioner has relied upon the photographs of different functions to show that the husband and wife were living happily which are Annexure P-9. It was further pointed out that the victim was not keeping good health and she was getting treatment. There are certain prescription slips of Atri Nursing Home and Apex Plus Super Speciality Hospital. It was claimed that the victim was suffering from skin disease. Learned counsel for the petitioner also pointed out that father of the victim had expired recently. The present petitioner is to look after his old mother. He is behind the bars since 06.06.2022. The statement of the complainant is also recorded. He will 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 of Haryana. Detailed status report is filed which confirms that

after the completion of investigation challan is already presented and one witness has been examined. The allegations against the present petitioner are serious. The victim died unnatural death. Therefore, considering the gravity of offence, the petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record carefully. The first regular bail application bearing CRM-M-19756-2022 was withdrawn vide order dated 07.02.2023 which is Annexure P-14. The FIR has been registered on the statement of brother of the deceased victim. The facts of the case indicate that the victim got married with accused Sandeep on 07.05.2019 and the occurrence took place on 05.06.2021. Out of this wedlock the victim had a son aged about one year. It is the case of unnatural death by hanging which took place in matrimonial home. There are allegations that the victim was maltreated in the matrimonial home on account of demand of dowry. As per the version of complainant some of the demands were satisfied but even then there was no change in the behaviour of accused and ultimately the victim ended her life by hanging herself. The statement of Dr. Sanjay PW3 has been recorded who has confirmed the allegations. The victim was young lady and was a Teacher by profession. She took this grave step leaving behind her minor son who was about one year old. Considering the gravity of offence and nature of allegations, I do not find a fit case for regular bail and the same is accordingly declined.

23.11.2023

*snd***(AMARJOT BHATTI)**
JUDGE

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