

**CRM-49292-2023 IN/AND
CRM-M-58219-2023 (O&M)**

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2023:PHHC:164800

**105+205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-49292-2023 IN/AND
CRM-M-58219-2023 (O&M)
Date of Decision: 20.12.2023**

SURINDER SINGH @ VIKAS

.....PETITIONER

Vs.

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Nupur Sood, Advocate,
for the applicant-petitioner.

Mr. G.S. Sandhu, D.A.G., Punjab.

HARPREET KAUR JEEWAN J. (ORAL)

CRM-49292-2023

By this application, the applicant-petitioner seeks permission to place on record a copy of the '*challan*' and copies of the medial reports as Annexures P-3 and P-4 with the accompanying petition.

The application is allowed and the aforesaid documents are ordered to be taken on record as Annexures P-3 and P-4 subject to all just exceptions with the accompanying petition. Office to tag the same at appropriate place.

CRM-M-58219-2023

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No. 71, dated

19.04.2023 registered at Police Station Sadar, District Ludhiana, under Section 306 of the IPC.

2. Learned counsel for the petitioner contends that there is no evidence other than the statement of the complainant which has been filed at the instance of the brother of the deceased Kirandeep Kaur. The petitioner is the husband of the deceased and who himself had taken his wife to the hospital. He did not run away from the spot. There was no suicide note or any previous complaint to the police authorities with regard to the alleged cruelty, as such, the offence under Section 306 IPC is not made out.

3. Learned counsel for the State has opposed the bail application, on the ground of gravity of the allegations.

4. I have considered the said contentions and have gone through the paper-book carefully.

5. It was the second marriage of the deceased with the present petitioner. As per the version of the complainant-Ramandeep Singh, the marriage of his sister was solemnized with the petitioner on 29.08.2021. On 18.04.2023, at about 09:30 a.m., the sister of the complainant called her on the phone and told him that the petitioner is causing a lot of harassment to her. He would kill her or she would die by consuming something. At about 10:30 a.m., he received a telephonic call from the petitioner that his sister had consumed poison and the petitioner is taking her to Deep Hospital, Ludhiana. The complainant along with his sister and mother reached the said hospital but they were told that his sister has been taken to Civil Hospital. When they reached there, they came to know that her sister has died and the

dead body was deposited in Deep Hospital, Ludhiana. Even the petitioner lied that the deceased was taken to Civil Hospital.

6. Though the challan has been presented but the allegations against the petitioner are serious in nature. The deceased died by consuming a poison substance with in a short spam of time after her marriage with the petitioner and the death took place in her matrimonial home. There is no reasonable explanation coming forth about the said unnatural death having been committed by the deceased.

7. So Keeping in view the gravity of the allegations, no ground is made out for bail.

8. Consequently, the petition is dismissed.

9. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

10. Pending miscellaneous application (s), if any, shall also stand disposed of.

December 20, 2023
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking
Whether reportable

Yes
No