

2023:PHHC:158237
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104

CRM-M-61295-2023
Date of Decision: 11.12.2023

SHIV JAMADAR

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. R.K. Jaswal, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

HARPREET KAUR JEEWAN, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.369 dated 11.09.2023 registered under Sections 304-B, 34 IPC at Police Station Kheriki Daula, District Gurugram.

As per the prosecution case, the marriage of son of the petitioner was solemnized with daughter of the complainant on 23.06.2023. After their marriage, she was ill treated by her husband and in laws on the pretext of bringing less dowry. Due to this mental harassment and torture, daughter of the complainant died due to strangulation on 08.09.2023.

Learned counsel for the petitioner contends that complainant has concocted a false story to implicate the entire family of the petitioner and present petitioner is father in law of the deceased. He further submits that there is delay of 4 days in reporting the matter to the police. He further contends that no dowry was ever demanded from the deceased and no case under Section 304 B of the IPC is made out against the petitioner.

Learned State counsel has informed that the report of FSL is still awaited.

Keeping in view the facts and circumstances of the case a young girl died by hanging herself in her matrimonial house within three months of her marriage, it is not a fit case to grant relief under Section 438 Cr.P.C.. Even the delay of 4 days in filing the matter to the police is no ground to grant anticipatory bail to the petitioner. As such, the present petition stands dismissed.

(HARPREET KAUR JEEWAN)
JUDGE

11.12.2023
P.Bhatt

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