

Sr. No.106

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

CRM-M-3239-2024
Date of decision: 26th February, 2024

BALWINDER SINGH**Petitioner**

versus

STATE OF PUNJAB**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prateek Sodhi, Advocate
for the petitioner.

Ms. Himani Arora, A.A.G.,Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant first petition has been filed by the petitioner under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.229 dated 08.11.2023, under Section 304-B IPC, registered at Police Station Ajnala, District Amritsar Rural (Annexure P-1).
2. As per the prosecution case, the marriage of the victim (deceased), aged about 19 years, was solemnized with the co-accused/son of the petitioner namely Simranjit Singh on 04.05.2023. After some time of the marriage, the husband and father-in-law of the victim along with other relatives of the petitioner, started taunting the victim for bringing insufficient dowry. The victim used to tell her parents that she was not being allowed to go anywhere and she is being harassed for bringing more dowry. On 07.11.2023, there was a marriage function in the family of the victim, which was attended by the victim, her husband-Simranjit Singh and her brother-in-law Bikramjit Singh. The victim wanted to stay at night in her parental home but she was not permitted to stay there by her husband and

brother-in-law. The petitioner-husband and brother-in-law of the victim scolded her and took her along with them. While going from there, the victim told her parents that she is very perturbed and she would end her life. However, she was persuaded by her parents not to do so. On the next day i.e. 08.11.2023, at about 11:30 AM, the victim committed suicide by consuming a poisonous substance and on reaching hospital, she expired.

3. Learned counsel for the petitioner contends that the petitioner is the father-in-law of the victim. He was living separately and no specific role has been attributed to the petitioner. Co-accused of the petitioner i.e. mother-in-law and sister-in-law of the victim have been granted interim bail by the order of this Court. The petitioner is also ready to join investigation.

4. Learned State counsel has filed status report by way of affidavit of Sh. Raj Kumar, PPS, Deputy Superintendent of Police, Sub-Division Ajnala, Amritsar Rural, on behalf of respondent-State of Punjab and the same is taken on record.

5. Learned State counsel has opposed the bail application on the ground of gravity of allegations levelled against the petitioner. It is contended that during the postmortem examination of the deceased, 04 injuries were found on the person of the deceased. The report of the Chemical Examiner and the Pathological Report are still pending and the real cause of death of the victim would be finally ascertained after receiving the said reports. It is further contended that challan/final report under Section 173(2) Cr.P.C. has been presented against co-accused Simranjit Singh, Palwinder Kaur and Harmanpreet Kaur on 10.02.2024. However, the petitioner could not be arrested.

6. I have considered the aforesaid contentions.

7. The allegations levelled against the petitioner are serious in nature. A young female aged 19 years had committed suicide few months after her marriage. There are specific allegations of demand of dowry against the petitioner. The petitioner is not entitled to the concession of anticipatory bail in view of the facts and circumstances of the case. The petitioner is not entitled to parity with his co-accused in terms of the orders dated 22.12.2023 (Annexures P-5) and 08.01.2024 (Annexure P-6), as the facts of these cases are distinguishable from the facts of the present case. The wife of the petitioner is an old lady, who is suffering from various ailments, has been granted interim protection being a female, as per Annexure P-5. Similarly, co-accused/Harmanpreet Kaur (married sister-in-law of the deceased), who is living separately with her in-laws since January 2015, has been granted interim protection, as per Annexure P-6.
8. Keeping in view the facts of the present case and the gravity of allegations levelled against the petitioner, no ground is made out for anticipatory bail, as such, the present petition stands dismissed.
9. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

26th February, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>