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

CRM-M-16130-2024

Date of Decision:- 24.07.2024

SANDEEP @ SANDEEP KUMAR

....Petitioner.

Vs.

STATE OF HARYANA

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Dr. Anmol Rattan Sidhu, Senior Advocate with Mr. Kanishk Swaroop, Advocate for petitioner.

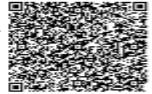
Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

Mr. Anuj Y. Attri, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

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

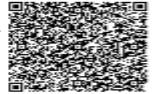
2. The facts of the case are that Dr. Sanjeev Kumar - complainant gave his statement to the police that he is brother of 5 sisters. His younger sister Shilpa was married to Sandeep as per Hindu Rites on 07.05.2019. They had given dowry articles beyond their capacity. She was living in the matrimonial 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. Learned counsel for petitioner argued that petitioner was arrested on 06.06.2021 since then he is behind the bars. He is facing trial since long. There were no allegations against present petitioner and in last portion of the FIR present petitioner was named. Now only petitioner Sandeep is facing trial. Prosecution had filed application to summon other accused which were declined by the trial Court and the said order was challenged by way of filing CRR-1270-2023 which was declined by this Court vide order dated 23.01.2024 (Annexure P-9). There was no maltreatment to the deceased on account of demand of dowry. Learned counsel referred to the photographs of deceased with her husband and minor child (Annexure P-10) when they were living happy married life. Conclusion of trial may take long time. Petitioner will abide by the bail order. Therefore, his third regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing State along with counsel for complainant. It is pointed out that challan was



presented on 20.06.2022 and after framing of chargesheet against present petitioner, six witnesses have been examined. There are specific serious allegations against petitioner. It was case of unnatural death of victim. Considering gravity of offence, petitioner is not entitled to be released on bail.

5. I have considered arguments and have gone through the record. This is third bail application filed by petitioner. First regular bail application, bearing CRM-M-19756-2022, was dismissed as withdrawn vide order dated 07.02.2023. Thereafter, he filed second regular bail application bearing CRM-M-47804 of 2023 which was declined on merits vide order dated 23.11.2023 (Annexure P-8). It is matter of record that during the pendency of the trial, prosecution moved application for summoning of additional accused under Section 319 Cr.P.C. that application was declined and revision against that order was also dismissed by passing detailed order dated 23.01.2024 (P-9). However, this order will not help the case of present petitioner. In-fact, present petitioner is husband of deceased victim. They got married on 07.05.2019 and were blessed with a son, who was about 1 year old when this unfortunate occurrence took place on 05.06.2021. Facts of the case indicate that complainant Doctor Sanjeev Kumar is the brother of deceased victim who was having five sisters. Their father had expired. In order to save married life of deceased victim money was given from time to time, as detailed in the FIR but there was no change in the attitude which resulted into unnatural death of the deceased victim. Gravity of offence cannot be ignored and prosecution evidence is under progress. He is the main accused. Thus I do not find a fit case for grant of regular bail and same is,



accordingly, declined.

6. Considering the fact that he is facing trial since long, learned Trial Court is directed to expedite trial.

24.07.2024

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(AMARJOT BHATTI)
JUDGE

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