

CRM-M-30590-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-30590-2023 (O&M)

Date of Decision: 20.08.2024

DR. GURPREET SINGH

...Petitioner

Versus

STATE OF U.T. CHANDIGARH

...Respondent

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

Present:- Mr. K.P. Singh, Advocate with
Mr. Ankit Chaudhary, Advocate
Mr. Rajat Singh, Advocate and
Mr. Nitin Sansanwal, Advocate
for the petitioner.

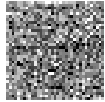
Mr. A.K. Lamdharia, Addl. P.P. for U.T. Chandigarh with
Ms. Roopse Sharma, Advocate
for respondent-U.T., Chandigarh.

Mr. S.S. Rangi, Advocate for the complainant.

HARPREET KAUR JEEWAN , J.

1. The instant first petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.27 dated 07.05.2023, under Sections 406, 498-A IPC, 1860, registered at Women Police Station, Sector 17 Chandigarh.

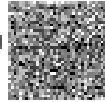
2. Learned counsel for the petitioner contends that marriage of the petitioner and the victim was solemnized on 16.01.2022. Since November, 2022, wife of the petitioner was living with her parents and she died



on 06.04.2023, while not residing with the petitioner. He further contends that the cause of death was diagnosed as 'Sepsis with septic shock, super refractory status epilepticus'. He further submits that the petitioner had joined the investigation in compliance of the order dated 15.06.2023 passed by the Coordinate Bench of this Court.

3. Learned State counsel has confirmed that the petitioner has joined the investigation. She has informed that recovery of majority of the articles including dowry articles has been effected as per seizure memo dated 17.01.2024, which is appended with the status report dated 14.03.2024.

4. Learned counsel for the complainant has opposed the petition on the ground that the victim was hale and hearty and she died within a period of 1 year and 2 months after her marriage. The cause of death has not been properly investigated by the Investigating Agency. It is alleged that the FIR was registered at the instance of the mother of the victim, who had alleged that the marriage of the victim was solemnized with the petitioner on 16.01.2022. At the time of the marriage, sufficient dowry and gold articles were given, however soon after the marriage, the petitioner and his family members started torturing the victim and used to ask her to bring more dowry. A demand of Rs.50 lakhs was also made. Due to this harassment, the complainant had sold a portion of land and paid a sum of Rs.10 lakhs to the petitioner. However, even after that they had been continuously harassing the victim and the victim went to a deep shock. The victim was not given any treatment, as such the victim started living with her parents in her parental house. It is further alleged that firstly the victim was got admitted in Inscol hospital, Sector-34, Chandigarh and thereafter she was shifted to MAX hospital, Mohali on 24.03.2023 due to



deterioration of her health. Ultimately, the victim died on 06.04.2023. It was further alleged that the death of the victim was caused due to torture related to demand of more dowry.

5. On 15.06.2023, the petitioner was granted concession of interim bail by the Coordinate Bench of this Court by passing the following order:

“Learned counsel appearing on behalf of the petitioner, inter alia, contends that the marriage between the parties was solemnised on 16.01.2022, however, the said marriage could not get along well. Consequently, the petitioner who is a qualified doctor and his wife parted ways and started residing away from the matrimonial house since November 2022. She died on 06.04.2023 while not residing with the petitioner and that the cause of death has been diagnosed as Sepsis with Septic Shock, super refractory status epileptics. He contends that there is no suspicious circumstance or any trigger event that may have been directly attributed to the petitioner for which custodial interrogation may be required. He further contends that the petitioner who has no criminal antecedents and is not involved in any other criminal case, is ready and willing to join investigation as and when required.

Notice of motion.

At this stage, Mr. Satwant Singh Rangi, Advocate, enters appearance and files power of attorney on behalf of the complainant.

To come up on 27.09.2023 for further consideration.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/ investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

6. I have heard learned counsel for the parties and perused the relevant documents.

7. The FIR is only registered under Sections 406 and 498-A IPC. The recovery of the gold articles has been effected as per seizure memo dated 17.01.2024 and list of articles (Annexure R-1), which is appended with the status report dated 14.03.2024. It is not disputed that the victim was residing in her parental home at the time of the death. The allegations and counter-allegations between the petitioner and the complainant are matter of trial.

In view of the aforesaid facts and the reasons recorded in the order

dated 15.06.2023 and keeping in view the fact that the petitioner has joined investigation and his further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 15.06.2023, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

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. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)

JUDGE

20.08.2024

P.Bhatt

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