

CRM-M-36722-2024 (O&M)

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

CRM-M-36722-2024 (O&M)

Date of Decision:- 17.09.2024

Harish

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Birindar Pal, Advocate
for the petitioner.

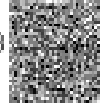
Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.**CRM-37496-2024**

This is an application filed under Section 482 Cr.P.C. for placing on record all orders of learned trial Court in case No. SC-96 of 2022, title “State of Haryana Vs. Harish” as Annexure P-16 with further prayer for exemption from filing original copy of annexure.

For the reasons enumerated in application, same is allowed. Accompanied document Annexure P-16 is taken on record and exemption filing original copy of annexure is also allowed, subject to all just exceptions.

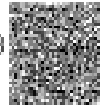
CRM is accordingly, allowed.

**Main case**

The petitioner – Harish has filed second petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No. 63 dated 10.09.2021 (Annexure A-2), registered at Police Station GRP Panipat for the offence punishable under Section 304-B, 498-A and 34 of Indian Penal Code, 1860.

2. As per the facts of case, Dharmendra Singh complainant stated that his daughter Anjali performed marriage with Harish on 11.10.2019, against the wishes of family. After sometime, their marriage was accepted. Soon after marriage, Harish started harassing Anjali on account of demand of dowry and was cruel towards her. During this period, he satisfied some of the demands. She was beaten up in order to compel her to bring money and she was kept without food. Harish was addicted to drugs. Several times efforts were made to make him understand but there was no change in his behaviour. Complainant was not in a position to satisfy his demand. Ultimately, his daughter committed suicide on 09.09.2021 by coming in front of train. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner pointed out that allegations levelled against him are false. In-fact, they were not invited by parents of his wife on the marriage of deceased victim's sister, as a result, she was under depression. During the course of arguments, it is further pointed out that parental family of his wife was always against their marriage and for this reason false allegations have been levelled against him. There is nothing on record to show that he ever ill treated his wife or raised any demand of dowry. Petitioner was arrested in this case on 23.09.2021 and

**CRM-M-36722-2024 (O&M)****-3-**

since then he is behind the bars. He is having a daughter and nobody is there to look after the child. His custody is more than three years. He will abide by terms of bail order. It is prayed that his regular bail petition may be allowed.

4. On the other hand, learned counsel representing State filed custody certificate of petitioner along with status report, which are taken on record, subject to just exceptions. He opposed present regular bail petition by taking the stand that there are specific serious allegations against present petitioner who is the husband of deceased victim. Occurrence took place when victim was residing in matrimonial home. Postmortem Report and opinion of doctor is also placed on record. After completion of investigation, challan was presented on 06.11.2021. Charge-sheet was framed and out of 27 prosecution witnesses, 12 witnesses have been examined. Considering these facts, petitioner is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record. In the case in hand, victim committed suicide by coming in front of train, while she was living in matrimonial home. She has left behind her small daughter, whereas, present petitioner is husband, facing trial in this case. Petitioner has raised issue that deceased victim was not invited by her parental family in the marriage of her sister and for this reason, she was under depression. However, in order to substantiate this argument, there is no medical prescription to show that deceased victim was under depression. On the other hand, FIR is registered on the statement of father of deceased victim levelling the allegations of continuous maltreatment on

account of demand of dowry. Allegations are serious in nature. Considering the gravity of offence, I do not find a fit case for grant of regular bail to petitioner – Harish and accordingly present petition filed by him is dismissed.

6. Considering the fact that petitioner is behind the bars since 23.09.2021, direction is given to learned trial Court to expedite the trial.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

17.09.2024

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(AMARJOT BHATTI)
JUDGE

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