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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44053-2024 (O&M)
Date of decision: 06.09.2024

Tarlochan Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

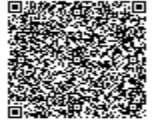
Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing
FIR No.123 dated 20.12.2023 under Section 304-B of the Indian Penal
Code, 1860, registered at Police Station Khemkaran, District Tarn Taran.
2. Brief facts of the case are that FIR (*supra*) was registered at
the instance mother of the deceased, on the allegations that marriage of her
daughter was solemnized with the petitioner on 20.11.2023 according to
Sikh rites and rituals in Gurudwara Asal Utad and it was a simple marriage.
On 19.12.2023, at about 08.00 a.m., her daughter informed to her regarding
harassment at the hands of the her husband-petitioner, her mother-in-law

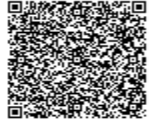
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and father-in-law on account of demand of dowry and even the petitioner gave beatings to her. Her mother-in-law and father-in-law harassed her to bring dowry or leave the matrimonial home. Thereafter, the complainant informed to her husband and took the deceased to her home. The deceased's in-laws also ill-treated the complainant and said that they had been insulted in the society because of not getting dowry. Thereafter, the complainant encouraged the deceased that there is no problem and they would gather the respectable persons and would make a decision. Thereafter, she went for work and after coming to know that her daughter had consumed some poisonous substance, she rushed to home and found her in unconscious position. The complainant arranged a vehicle and got admitted the deceased to Khera Hospital, Valtoha for treatment and at about 01.30 p.m., the doctor declared her dead. Thereafter, she came to know about earlier marriage of the petitioner and that the mediator Aman did not disclose about the same. Due to harassment at the hands of the petitioner and his parents, daughter of the complainant committed suicide by consuming poisonous substance.

3. Learned counsel for the petitioner, *inter alia*, contends that similarly situated co-accused has already been granted the concession of anticipatory bail by this Court vide order dated 08.08.2024 passed in CRM-M-14731-2024. The petitioner has no role to play in the alleged occurrence, as he neither demanded any dowry nor harassed daughter of the complainant in any manner. Even in the suicide note, nothing specific has

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been alleged against the petitioner and it is yet to be proved whether the suicide note is written by the deceased or not.

4. *Per contra*, learned State counsel opposes the prayer for grant of anticipatory bail to the petitioner on the ground that co-accused, who has been granted the concession of anticipatory bail by this Court, is father-in-law of the deceased, whereas the petitioner is her husband and there are specific allegations in the FIR (*supra*) against him. Further, the deceased died unnatural death within one month of the marriage and in view of presumption attached with the offence, it is for the petitioner to explain about the same.

6. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

7. Keeping in view the facts and circumstances of the case, without commenting further on merits of the case, lest it may prejudice the case of either of the parties, this Court finds no ground to grant anticipatory bail to the petitioner.

8. Accordingly, present petition is dismissed.

[HARPREET SINGH BRAR]
JUDGE

06.09.2024
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No