

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M No.54209 of 2023
Date of Decision: 02.02.2024

Harkirat Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

Mr. Daman Dhir, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed under Section 439 of Cr.P.C. seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0052	17.05.2021	Panjokhra, District Ambala	120-B and 304-B of IPC

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Sukhwinder Kaur alleging therein that her daughter Navneet Kaur was married with the present petitioner on 17.10.2020. Though her husband had died in the year 2019, however, still at the time of marriage, she had spent money beyond her capacity and substantial dowry was given. The members of in-laws

Neutral Citation No.2024:PHHC:014830

family of her daughter had been harassing her on account of demand of dowry. On asking of the petitioner, the daughter of the complainant had once taken an amount of Rs.1 lac from her and then took a sum of Rs.50,000/-. She alleged that a Baleno vehicle was given as dowry to the petitioner but he in connivance with his other family members had been harassing her for bringing big car and more dowry and used to taunt her by saying that by giving a small vehicle in the wedding, her family had insulted them in their society. She alleged that on 17.05.2021 she received a telephonic call from her daughter who told her that she was being harassed by her in-laws for demand of money and also pleaded to protect her by taking her away from her matrimonial home or otherwise she would be killed by them. The complainant alleged that she told her maternal aunt (Maasi) Parvinder Kaur who was residing in a neighbouring village to go to her daughter. After sometime, her aunt informed her that the in-laws of Navneet Kaur had taken her to some hospital and then she received call about her death in Park Healing Touch Hospital. She alleged that on reaching there she noticed that smell of some poisonous substance was coming from the mouth of the victim who was six months pregnant at the time of her death and while alleging that the petitioner and his family members had murdered the victim by ingesting some poisonous substance to her, she prayed for taking action against them.

3. After registration of FIR, investigation proceedings were initiated. Inquest proceedings and postmortem examination of her daughter was also conducted. The petitioner was arrested on 18.05.2021. He was interrogated and suffered disclosure statement admitting his involvement in

Neutral Citation No.2024:PHHC:014830

the subject crime and got recovered dowry articles including a Baleno car. The co-accused Kuldeep Singh and Manjeet Kaur were also arrested. After completion of necessary investigation, challan was presented in the Court and the petitioner along with co-accused is facing trial for commission of the aforementioned offences.

4. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since 21.05.2021. The accused Manjeet Kaur and Kuldeep Singh have been given concession of regular bail by Coordinate Benches of this Court. No demand of dowry was ever raised by the petitioner or his family members. The trial is likely to take time as most of the witnesses still remain to be examined. No useful purpose would be served by keeping him in custody any more. It is, therefore, urged that he deserves to be released on bail.

5. Learned State counsel has resisted the bail petition in terms of the status report. It is submitted therein and it has been argued by learned State counsel assisted by learned counsel for the complainant that there are serious and specific allegations against the petitioner and therefore, argued that the petition does not deserve to be allowed.

6. I have heard learned counsel for the petitioner as well as learned State counsel assisted by learned counsel for the complainant and have perused the record.

7. The victim within a period of seven months of her marriage when she was six months pregnant had died, an unnatural death in unnatural circumstances. In her sworn deposition PW-2 Parvinder Kaur who is

Neutral Citation No.2024:PHHC:014830

maternal aunt of the victim and who had reached in the hospital wherein the victim was got admitted in a critical condition, she has categorically stated that on asking, the victim had told her that the accused had made her consume some substance and that if anything happened to her, then they should be held responsible. There are specific allegations against the petitioner qua demand of big car and harassment of the victim on that account. The trial is going at a proper pace and there is nothing on record to suggest that there would be any undue delay in conclusion of the same. The gravity of offence is one of an important factors for denial/grant of benefit of bail. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of the sentence which the conviction may entail and the attendant facts and circumstances, this Court is of the considered view that the petitioner does not deserve to be given concession of regular bail. Hence, the petition stands dismissed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

02.02.2024
manju

(MANISHA BATRA)
JUDGE

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