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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-59240-2024 (O&M)
Date of decision: 28.11.2024

Jatinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.S. Bhullar, Advocate
for the petitioner.

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

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

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory
bail in FIR No.99 dated 12.09.2024 under Sections 304-B & 34 of the
Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station
Jodhewal, District Ludhiana.

2. Learned counsel for the petitioner, *inter alia*, contends that



there was no complaint against the petitioner during subsistence of his marriage with the deceased and cohabitation between them was peaceful throughout. A panchayati compromise was effected on 20.07.2018. There are vague allegations against the petitioner and similarly situated co-accused have already been granted the concession of anticipatory bail by this Court vide order dated 22.11.2024 passed in CRM-M-52800-2024 (Annexure P-4). The factual ingredients breaching the threshold of offence under Section 304-B of IPC are clearly missing.

3. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, opposes the prayer for grant of anticipatory bail to the petitioner on the ground that body of the deceased was found to be hanging, but her feet were fully rested on the bed and there are specific allegations against the petitioner. The deceased died unnatural death within 07 years of her marriage and as such, it is incumbent upon the petitioner to explain the circumstances, in which she died.

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

5. Keeping in view the serious allegations levelled against the petitioner, this Court finds no ground to grant anticipatory bail to the petitioner.

6. Accordingly, the present petition is dismissed.

7. Needless to say, nothing observed herein shall be construed as



expression of an opinion by this Court, lest it may prejudice the trial.
Learned trial Court is directed to proceed with the trial on its own merits,
strictly in accordance with law.

28.11.2024
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No