



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

**CRM-M-17700-2025 (O&M))
Date of Decision: 08.05.2025**

Atma Singh

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr.C.S. Rana, Advocate, for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

Ms. Malvi Aggarwal, Advocate, for complainant.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petitioner has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in FIR No.61 dated 19.04.2023, under Section 304-B IPC, registered at Police Station Sadar Jagraon, District Ludhiana (Rural).

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the petitioner is in custody for 1 year, 11 months and 13 days and one prosecution witness who is a formal witness has been examined. He submitted that the petitioner is the father-in-law of the deceased and is an old person of the age of 69 years and suffering from various ailments and as per the allegations, the complainant who is the father of the deceased had alleged that there was a demand of dowry from the petitioner and his son due to which his daughter had died. He submitted that



a perusal of the FIR would show that all vague and general allegations have been made in the FIR and even otherwise also, the petitioner who is an old person of the age of 69 years has already faced incarceration for about 2 years and the trial of the case will take long time and considering the age of the petitioner and his medical ailments, he may be considered for the grant of regular bail. He referred to Annexure P-3 whereby one of the co-accused has been granted anticipatory bail who is the sister-in-law of the present petitioner, Annexure P-4 whereby regular bail has been granted to the brother of the petitioner, Annexure P-5 whereby regular bail has been granted to the daughter of the petitioner and submitted that in view of the aforesaid facts and circumstances, the petitioner may be considered for the grant of regular bail.

3. On the other hand, learned State counsel submitted that so far as the custody of the petitioner is concerned, the same is correct and it is also correct that one witness stands examined. He however submitted that since the allegations against the petitioner who is the father-in-law of the deceased pertaining to demand of dowry are concerned, the same were serious in nature because his daughter-in-law had died due to asphyxia within a period of 7 years of marriage.

4. Ms. Malvi Aggarwal, Advocate has caused appearance on behalf of the complainant and has filed her memorandum of appearance which is taken on record. She submitted that the petitioner who is the father-in-law of the deceased alongwith other family members had been constantly harassing the deceased and demanding dowry and considering the seriousness of the offence, he is not entitled for the grant of regular bail.

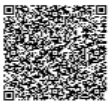


5. I have heard the learned counsels for the parties.

6. It is a case where the petitioner is in custody for 1 year, 11 months and 13 days and as per the learned counsel for the parties, one prosecution witness has been examined. The petitioner is stated to be of the age of 69 years and as per the learned counsel for the petitioner, he is suffering from various ailments. Some of the co-accused who are also relatives of the petitioner have been granted bail as per learned counsel for the petitioner and as per the orders attached with the present petition. Although there are allegations against the petitioner and the other family members with regard to the demand of dowry but it is yet to be seen at the time of trial as to whether the aforesaid has any co-relation with the death of his daughter-in-law because that can be seen only by way of adducing evidence but only for the purpose of considering the prayer of the petitioner for the grant of regular bail, the other factors are also to be seen i.e. the duration of custody and the age of the petitioner. The custody of the petitioner is about two years and his age is about 69 years and as per the learned counsel for the petitioner, he is suffering from various ailments. Furthermore, it is not the case of the State counsel that in case the petitioner is released on bail, then he may abscond especially being an old person or may influence the witnesses or may tamper with evidence.

7. In view of the aforesaid facts and circumstances, this Court deems it fit and proper to grant regular bail to the petitioner.

8. Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.



9. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

08.05.2025

(JASGURPREET SINGH PURI)

shweta

JUDGE

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