



222

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

CRM-M-64450-2024

Date of Decision:- 30.04.2025

VAIBHAV S. K.

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ankush Singla, Advocate with Mr. Ravish Bansal,
Advocate and Mr. Ashok Hooda, Advocate for petitioner

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Akash Sheoran, Advocate for the complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner has filed instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.394 dated 18.08.2024 under Section 80 (2) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Badshahpur, District Gurugram.

2. Facts of case are, complainant Suresh Pal Jayanth filed written complaint against Vaibhav and others alleging that marriage of his daughter Akanksha was performed with Vaibhav on 26.11.2022. He had fulfilled all the demands of accused persons but even then they were unhappy with the dowry articles. There was frequent demand for a car and cash amount. On refusal to satisfy the said demand, his daughter was abused in filthy



language. Several Panchayats were convened. In order to save marriage of his daughter, a total sum of Rs.40,000/- were transferred online on 23.06.2024 and 01.08.2024 even then there was no change in behaviour of accused persons. On 04.08.2024 articles sent to the accused persons were returned by saying that it was less. On 08.08.2024 daughter of the complainant called her mother on mobile phone and informed that in case they do not satisfy their demand for a car and cash amount they would kill her. She was being harassed mentally. On 15.08.2024 victim again made video call from her mobile phone to the mobile phone of her younger brother Abhinav that she was being mentally harassed by her in-laws and they were hatching a conspiracy to kill her. Complainant had gone on a trip to Kerala. On 16.08.2024 at about 10.16 pm Vaibhav informed that Akanksha has expired. They took a flight to Delhi and reached back. Complainant alleged justice for her daughter who was murdered for greed of dowry. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner denied the allegations. It is alleged that after unfortunate occurrence, parents of the deceased victim were immediately informed. Statements of Abhinav (brother) and Sarla mother of the deceased victim were recorded under Section 180 of Bharatiya Nagarik Suraksha Sanhita, 2023 on 18.08.2024 which are Annexure P-4B. At that point of time, no such allegations were raised detailed in the FIR. Subsequently, after due deliberation, father of the deceased filed written complaint levelling allegations as detailed in the FIR. It is pointed out that at the time of alleged occurrence, petitioner and his wife were residing in



rented accommodation. Both petitioner and victim were known to each other and it was marriage of their choice. Out of this wedlock, no child was born. Petitioner was having full love and affection for his wife. She was given full respect in the matrimonial home. At the time of marriage, she was given gold ornaments. Copies of bills are Annexure P-8. Father of the petitioner had purchased a car for him and his wife. Copy of invoice of car is Annexure P-9. Petitioner has annexed photographs of the couple on various occasions, which are Annexure P-10. In fact, on the date when alleged occurrence took place, petitioner had accompanied his father along with other family members to Fortis Escorts Heart Institute on account of medical problem of his father. Deceased victim was unhappy as he had accompanied his father to the hospital for his angioplasty. He has relied upon the alleged whatsapp chat which is Annexure P-5. It is pointed out that after some time, victim stopped responding to the messages. When he reached home in the evening no one opened the door. He with the help of landlord and his neighbour managed to open the door and found that his wife had hanged herself. He called the nurse residing in the same building. Victim was taken to the hospital but she had already expired. On account of temperamental issues with the victim, she has taken this grave step. It is argued that petitioner was arrested in this case on 18.08.2024 and till date he is behind the bars. He has already joined the investigation. Challan is presented on 14.11.2024. He is ready to abide by the terms of bail order. It is submitted that his regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing



State assisted by learned counsel representing complainant. In the detailed status report, facts narrated in the FIR are confirmed. It is pointed out that during the course of investigation, petitioner was joined in the investigation. Mobile phones were taken into police possession. During further investigation, CCTV footage of the vicinity was procured. Statements of witnesses were recorded. It was confirmed that accused Sunil was admitted in Fortis Escorts Heart Institute Okhla, New Delhi and Asha & Muskaan were also found to be present at hospital looking after Sunil Kumar. They were found to be innocent and accordingly not challaned. Challan is presented against petitioner on 14.11.2024. Charges are yet to be framed. There are specific serious allegations against petitioner. Copy of post mortem report is also annexed as Annexure R-1. Learned counsel representing State referred to the post-mortem report according to which '*on dissection and reflection of scalp, a contusion of size 3 X2 cm over the right frontal region of the scalp situated 4 cm above the right supraorbital margin and 6 cm right to the midline*' was found, apart from the ligature marks detailed in the post-mortem report. It is submitted that trial in this case is yet to start, therefore, bail application of the petitioner is opposed.

5. I have considered the arguments and have gone through the record carefully. It cannot be disputed that it is a case of unnatural death of the victim within 2 years of marriage. Occurrence took place in the matrimonial home where she was residing along with her husband. Petitioner is relying upon whatsapp chat (Annexure P-5) and veracity of this record can be seen during the course of evidence. In the post-mortem report,

as referred above, apart from ligature marks, one injury on the head was detected which can be seen during the course of trial. Trial in this case is at initial stage. Testimony of witnesses are yet to be recorded. Stand taken by the petitioner can be appreciated at later stage. Therefore, I do not find it appropriate to release the petitioner on bail at this stage and accordingly, his regular bail application is declined.

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

(AMARJOT BHATTI)
JUDGE

30.04.2025
snd

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