

Present:Sh.Rajan Sareen, Advocate for applicant/accused.
Ms.Taranvir Kaur, Additional Public Prosecutor for State
with Sh.Manish Bhambi, Advocate for complainant.

ORDER:

Police record received. File of this Court, pending for 26.03.2021, also attached. Sh.Manish Bhambi, Advocate has filed power of attorney on behalf of complainant, be placed on the file.

2. Heard on the bail application under Section 439 Cr.P.C. filed by applicant/accused Pardeep Kumar @ Deepu son of Manoj Kumar, resident of Village Karayam, Tehsil Nawanshahr in case FIR No.96, dated 07.12.2020, under Sections 304-B, 201 IPC, PS, Sadar Nawanshahr.

3. Learned counsel for applicant/accused has vehemently argued that applicant/accused is innocent and has been falsely implicated in the present case. He has further argued that applicant/accused has not committed any offence. He has also argued that no family member, including the applicant/accused was present in the house at the time of alleged incident. He has further argued that even the site plan prepared by the Investigating Officer is vague. There is no suicide note of the deceased nor there was any injury mark on the body of the deceased.

4. He has further argued that even parents of the applicant/accused were named in the FIR but later on, they have not been challaned and have been discharged. He has also argued that parental home of deceased is very near to the house of applicant/accused, where the alleged incident took place and the deceased could have easily reported the alleged demand of ₹50,000/- to her parents. He has also

argued that there is no call record on the file that the deceased made a telephonic call to her parents before committing suicide, alleging that she has been committing suicide on account of demand of dowry or cruelty by applicant/accused.

5. He has also argued that challan has already been presented and the case is fixed for prosecution evidence. He has further argued that applicant/accused is in custody since 07.12.2020 and conclusion of trial may take some time. No useful purpose would be served by keeping the applicant/accused behind bars for any more. Lastly, he has prayed to allow the bail application.

6. These contentions have been rebutted by learned Additional Public Prosecutor for State, assisted by learned counsel for complainant contending that there are serious allegations against the applicant/accused. Lastly, she has prayed to dismiss the present bail application.

7. I have considered the rival contentions raised by learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State, assisted by learned counsel for complainant. I have also perused the record.

8. As per prosecution story, marriage of deceased Navjot took place on 26.04.2020 with applicant/accused. At the time of marriage of deceased, sufficient dowry was given by her parents as per their capacity. After sometime of marriage, in-laws of Navjot started harassing her for bringing more dowry.

9. It is also case of the prosecution that on 06.12.2020, applicant/accused Pardeep Kumar came to his in-laws' house in the morning alongwith deceased and demanded ₹50,000/-. He left deceased

Navjot at her parental home with the condition that he will take her alongwith him in the evening if they give ₹50,000/-. The applicant/accused came to his in-laws' house in the evening and asked about ₹50,000/-. Some time was requested by the complainant to arrange this amount and thereafter, applicant/accused alongwith deceased had gone to his Village Karayam on his motorcycle, after giving abuses to complainant and his daughter. On the next day i.e. 07.12.2020, complainant received a telephonic call from his brother Randhir Singh that his daughter Navjot had committed suicide by hanging.

10. Though there is no suicide note of the deceased but it is worth noting that marriage of applicant/accused took place with deceased on 26.04.2020. Death of deceased has occurred otherwise than under normal circumstances within 7 years of her marriage. There are specific allegations against the applicant/accused that soon before death of deceased, she was subjected to cruelty and harassment by the applicant/accused. There are serious allegations against the applicant/accused. Keeping in view the gravity of the offence and nature of the crime, without commenting on merit of the case, applicant/accused is not entitled to bail. Accordingly, present bail application stands dismissed. Police record be returned. Bail application be attached with the main file, pending for 26.03.2021.

Pronounced.
Dated:24.03.2021.

-Vinay-

Randhir Verma,
Additional Sessions Judge,
Shaheed Bhagat Singh Nagar.
(UID No.PB-0165)