

In the Court of Babita, PCS
Judicial Magistrate First Class, Pathankot.UID/PB0474

CIS No:CHI/250/2024
CNR No:PBPO030046192024

Date of Institution:07.09.2024
Committed on: 13.02.2025
Committed for: 27.02.2025

State

Versus

Dharam Singh son of Sh. Veer Singh, resident of Village Matti, PS Shahpurandi,
District Pathankot.

..... Accused.

FIR No.64 dated 10.06.2024
Under sections: 304-B of IPC
PS:Shahpurkandi.

Present: Ms. Manju, APP for the State.
Accused in custody (produced through VC) with counsel Ms.
Palwinder Kaur, Advocate.

ORDER;

Aforementioned accused has been booked for alleged commission of
offence punishable under sections 304-B of Indian Penal Code, 1860 (here-in-
after referred as IPC).

2. The prosecution version as unfolds from final report under section
173 Cr.P.C is that on 10.06.2024 SI Som Lal alongwith ASI Jagar Singh, Ct.
Gurdeep Singh, PHG Mehar Singh was going inconnection with patrolling
towards Police Station. When the police party reached Pangoli Chowk, Tarsem
Lal son of Parkash Chand (hereinafter referred to as complainant) resident of
Matti met police party. Tarsem Lal got recorded his statement before ASI Som
Lal to the effet that he is working as messon and is having three children. He

further stated that marriage of his daughter namely Madhu Bala was solemnized with Dharam Singh son of Veer Singh, resident of Matti about two and a half years back. He further stated that her daughter lived happily in her matrimonial house for 6 months after the marriage but thereafter she was tortured and maltreated by her in-laws for the sake of dowry. Her daughter alongwith her son Shivjot returned back to his house 5-6 days prior to 10.06.2024. He next stated that the in-laws of her daughter were called by the panchayat to reconcile. Thereafter on 09.06.2024 at about 8.00 PM he left her daughter to her in-laws house and returned back. He further stated that on 10.06.2024 at 5.00 AM he received telephonic call from the husband of her daughter that Madhu Bala is not getting up from her bed and he did not know what has happened. Complainant alleged that he went to in-laws house of her daughter and saw that there were injury marks on her body. After arranging the transportation he was taking her daughter to Civil Hospital, Pathankot and on the way he got his daughter checked from the doctors of JK Hospital, Jugial where they declared his daughter dead. He further stated that he was of firm belief that her daughter was murdered by her husband Dharam Singh by feeding her some poisonous substance.

3. On the basis of above said statement, FIR was registered under Section 304-B IPC by PS Shahpurkandi and further investigation of the present case was handed over to ASI Som Lal. During investigation ASI Som Lal alongwith other police official reached at Civil Hospital, Pathankot. After conducting the post mortem of deceased Madhu Bala from the doctors, the dead body was handed over to legal heirs of deceased. Accused Dharam Singh was arrested by SI Som Lal. On 11.06.2024 accused Dharam Singh was produced before the Court and was remanded to police custody for one day. During police remand, accused suffered disclosure statement that on 09.06.2024 his wife returned to his matrimonial home from his parental home with her father and after taking meal, he and his wife kept on talking to each other till late night. His son Shivjot fell asleep. Thereafter he and his wife also fell asleep. Thereafter he felt uneasy. He got up and asked his wife if she was fine. Then her wife told that she is fine. At 4.30 PM his son started crying loudly. He tried to wake up his wife but she did not wake up. He gave fist blow on her back and other body parts. His

wife had difficult breath twice and then she fainted. He further disclosed that he shook her wife several times but she did not wake up. Thereafter he called her family members by telephone. After arranging the transportation she was taken to Civil Hospital, Pathankot but on the way she got checked from the doctors of JK Hospital, Jugial where she declared died by the doctors. Accused was remanded to judicial custody. Vicsera report was obtained. After completion of investigation, challan under section 304-B IPC was presented against the accused person on 04.09.2024. Copies of challan and documents were supplied to the accused in compliance of provision of section 207 Cr.P.C.

4. Heard. It has been submitted by learned defence counsel that offence under Section 304-B IPC is not made out against the accused. Be that as it may, at the stage of committal, this Court cannot go into microscopic evaluation of the report under section 173 (2) Cr.P.C and the evidence collected by the prosecution. Rather, if the contents of the report under section 173 Cr.P.C disclose commission of offences exclusively triable by learned court of Sessions, case has to be committed. In the instant case, report under section 173 (2) Cr.P.C prima facie discloses the commission of offence punishable under section 304-B IPC which is exclusively triable by Court of sessions. Accordingly, the case is hereby committed to the Court of Sessions for 27.02.2025. Accused is directed to be produced before Hon'ble Sessions Judge, Pathankot on 27.02.2025 at 10.00 a.m. Learned APP be notified about the commitment of the case to learned Sessions Judge, Pathankot.

Ahlmad is directed to send the case file, complete in all respects, alongwith case property, if any to the Hon'ble Court of Sessions well before the date fixed.

**Pronounced in open Court on this;
13th day of February, 2024**

**Babita, PCS
Judicial Magistrate Ist Class
Pathankot.**

Present: Ms. Manju, APP for the State.
Accused in custody (produced through VC) with counsel Ms. Palwinder Kaur, Advocate.

Vicsera report has been received. Accused has been produced in custody through VC. Vide my separate detailed order of even date, case is committed to the Court of Sessions for 27.02.2025. Accused is directed to be produced before Hon'ble Sessions Judge, Pathankot on 27.02.2025 at 10.00 a.m.

Ahlmad is directed to send the case file, complete in all respects, alongwith case property, if any, to the Hon'ble Court of Sessions well before the date fixed.

**Pronounced in open Court on this;
13th day of February, 2024**

**Babita, PCS
Judicial Magistrate Ist Class
PATHANKOT.**