



IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

(216)

CRM-M-40119-2024 (O&M)  
Date of Decision: 24.09.2025

ANKUR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

Ms. Saumya Ahluwalia, Sr. DAG, Haryana.

Mr. Aman Arora, Advocate for complainant.

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**KIRTI SINGH, J. (ORAL)**

1. The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in case FIR No.16 dated 18.01.2023, under Sections 406, 304-B, 498-A and 34 of IPC, registered at Police Station Faridabad N.I.T, District Faridabad.

2. The translated version of the FIR is reproduced below:-

*“To, the Chowki Incharge Sec:21D Faridabad. Sir, I am Arun son Shri Premraj resident of village: Pali, Chaudhary Mohalla, Faridabad. My two sisters (elder one) xxxxx and (younger one xxxx were married on 5.2.2017 with Ankur and Ankit (respectively) sons of Surendra resident of: Gulavad Hasanpur, Palwal presently resident of H.No. 572A Sec: 21D. In the marriage, my father donated cash, gifts and jewellery according to his status. Since marriage, my elder sister xxxxxx was tormented by her in-laws for bringing less dowry, due to less dowry, my younger sister xxxx was not taken to her in-laws' house since her marriage. It was only after panchayats that she was taken by them once or twice. xxxxx was also asked to bring more dowry. For last 4-5 days my sister xxxx was complaining about being tortured physically and mentally by father-in-law Surender, mother-in-law xxxxxxxx, husband Ankur, brother-in-law Ankit and sister-in-law xxxxx. xxxxx also told us that her in-laws can*



*go to any extent and end her life. Regarding this, a panchayat was convened on 18.01.2023 around 2:00 pm. As per the instructions from the in-laws side, we reached at the place in front of Faridabad Railway Station, but there were only the relatives from the in-laws' side and father-in-law, husband and brother-in-law were not there, we started waiting for them to come there, at around 3 o'clock my sister xxxx talked to younger sister xxxxx and told that her father-in-law, mother-in-law, husband, brother-in-law and sister-in-law are beating her. And xxxx asked her to take her away or they will kill her, when I reached there with my brother Ajay, I saw my sister xxx lying on the bed in the room, a chunni like cloth is wrapped around her neck, on seeing us, the family started running away from there. We picked up our sister and took her to Asian Hospital where the doctor declared her dead. I pray that appropriate legal action should be taken against my sister xxxx father-in-law, mother-in-law, husband, brother-in-law and sister-in-law. SD/- Arun.”*

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case on the statement of the brother of the deceased, wherein he alleged that the petitioner along with his family members used to harass and give beatings to the deceased on account of dowry demands. It is submitted that the marriage between the petitioner and the deceased was solemnized on 05.02.2017 i.e. about 6 years prior to the date of alleged incident, during the entire period of which no complaint was made by the deceased to any person regarding any demand of dowry being made by the petitioner. The case is based on circumstantial evidence and the allegations of beatings and totally vague and baseless, as there is no medical evidence to substantiate the allegations. The petitioner has already undergone an actual custody of 2 years, 8 months and 4 days.

4. Learned State counsel as also learned counsel for the complainant have opposed the prayer made in the petition and submit that the petitioner was actively involved in the commission of the alleged offence. Learned State counsel has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone actual custody of 02 years, 08 months and 04 days. She on



instructions from investigating officer submits that charges in the instant case were framed on 19.06.2024 and out of a total of 30 prosecution witnesses, 02 have been examined till date. It is stated that as per post mortem report dated 19.01.2023, the cause of death is antemortem hanging. In this regard, opinion of the Board of doctors was also obtained, and the findings of the Board also concurred with the post mortem report. Furthermore, the sister of the deceased, who is married to brother of the petitioner, in her statement made before the investigating agency got recorded that there were constant demands of dowry and harassment by her husband and in-laws. Learned counsel therefore, submits that one other FIR dated 07.10.2020, under Sections 25-54-59 of Arms Act, is also pending against the petitioner. Therefore, petitioner is not entitled to the concession of regular bail.

5. Learned counsel for respondent No.2 submits that serious and specific allegations have been levelled against the petitioner in the instant case. Marriage between the deceased and the petitioner was solemnized on 05.02.2017, and sufficient dowry articles were given at the time of marriage. However, shortly after, she was constantly harassed on account of bringing less dowry. Attempts to resolve the dispute were repeatedly made, and even elders of the village were involved, however, the accused persons did not mend their ways. It was under these circumstances, having been subjected to such cruelty, that the deceased took the extreme step, and passed away at her matrimonial home. Even on the fateful day i.e. 18.01.2023, the deceased had spoken with her sister and had informed her that she was being beaten up for not fulfilling the demand of dowry. Therefore, giving the gravity of the offence that the petitioner has been charged with, it is prayed that the instant petition be dismissed.



6. Heard the rival submissions made by learned counsel for the parties.

7. The bare language of Section 304B i.e. the offence of dowry death, with which the petitioner has been charged, reads thus:-

*“304B. Dowry death. -- (1) Where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called "dowry death", and such husband or relative shall be deemed to have caused her death.*

*Explanation.- For the purposes of this sub-section, "dowry" shall have the same meaning as in section 2 of the Dowry Prohibition Act, 1961 (28 of 1961).*

*(2) Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.”*

8. The essential components of Section 304B can therefore be stated as: (i) Death of a woman occurring otherwise than under normal circumstances, within 7 years of marriage. (ii) Soon before her death she should have been subjected to cruelty and harassment in connection with any demand for dowry.

9. Recently, Hon’ble Supreme Court while adjudicating the appeals preferred against the grant of bail in case under Sections 498-A and 304B of IPC in the case of ‘***Shabeen Ahmad vs. The State of Uttar Pradesh and another***’, gave the following observations:-

*“15. We also find it necessary to express our concern over the seemingly mechanical approach adopted by the High Court in granting bail to the Respondent accused. While the Court did note the absence of prior criminal records, it failed to fully consider the stark realities of the allegations. It is unfortunate that in today’s society, dowry deaths remain a grave social concern, and in our opinion, the courts are duty bound to undertake deeper scrutiny of the circumstances under which bail is granted in these cases. The social message emanating from judicial orders in such cases cannot be overstated: when a young bride dies under suspicious circumstances within barely two years of marriage, the judiciary must reflect heightened vigilance and seriousness. A superficial application of bail parameters not only undermines the gravity of the offence itself but also risks weakening public faith in the judiciary’s*



*resolve to combat the menace of dowry deaths. It is this very perception of justice, both within and outside the courtroom, that courts must safeguard, lest we risk normalizing a crime that continues to claim numerous innocent lives.”*

10. Trite to say that gravity of offence so alleged is one of the considerations before a Court at the time of deciding a bail petition. Adverting to the case in hand, it is observed that the marriage between both parties was solemnized on 05.02.2017, and the unfortunate death took place at the matrimonial home on 18.01.2023. Allegations of constant demand of dowry were levelled against the petitioner by the complainant, which purportedly led to the untimely death of the deceased. The same were corroborated by the sister of the deceased, who is married in the same matrimonial home, to the brother of the petitioner, at the time of investigation. Though the veracity of the allegations levelled shall be established during the course of the trial, however, at this juncture when out of a total of 30 prosecution witnesses, only 02 have been examined till date, this Court does not deem it appropriate to grant the concession of regular bail to the petitioner at this stage.

11. Accordingly, the petition stands dismissed.

12. Nothing observed hereinabove shall be construed as an expression on the merits of the case.

13. Pending application(s), if any, also stands disposed of accordingly.

**(KIRTI SINGH)**  
**JUDGE**

**September 24, 2025**

Ithlesh

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