

# Amandeep Singh Garewal vs State Of U.P. on 16 April, 2025

**Author: Samit Gopal**

**Bench: Samit Gopal**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:55963

Court No. - 64

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 23116 of 2022

Applicant :- Amandeep Singh Garewal

Opposite Party :- State of U.P.

Counsel for Applicant :- Ajay Kumar Pandey, Kartikeya Saran, Rahul Saxena, Ujjawal Satsangi

Counsel for Opposite Party :- Raj Kumar Sharma, Veerendra Singh

Hon'ble Samit Gopal, J.

1. List revised.

2. Heard Sri Kartikeya Saran, learned counsel for the applicant, Sri Veerendra Singh and Sri Raj Kumar Sharma, learned counsels for the first informant and Sri Ajay Singh, learned A.G.A.-I for the State and perused the material on records.

3. This is second bail application of the applicant. The first bail application of the applicant was dismissed as not pressed by this Court vide order dated 07.04.2022 passed in Criminal Misc. Bail Application No. 2638 of 2022 (Amandeep Singh Garewal vs. State of U.P.).

4. This bail application under Section 439 of Code of Criminal Procedure has been filed by the applicant- Amandeep Singh Garewal, seeking enlargement on bail during trial in connection with Case Crime No. 0462 of 2021, under Sections 498-A, 304-B I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station Majhola, District Moradabad.

5. The first information report of the present matter was lodged on 18.06.2021 by Manjeet Cheema against the applicant, Jaswanti, Anju and Abhinav Mittal alleging therein that his sister Rinki was married with Amandeep Garewal (the applicant) on 01.06.2020 with pomp & show. In the marriage Rs. 10,00,000/- cash, one Baleno car of approximately Rs. 10,00,000/- and jewellery for the whole family was given. The total expenditure was of around Rs. 30,00,000/-. When his sister went to her matrimonial house after vidai the accused persons were seen unhappy with the dowry and her mother-in-law Jaswanti and nand Anju used to taunt her and slapped her in front of everyone. The incident was told by her on a video call while crying. After this incident Aman did not support her and on the saying of brother-in-law Abhinav Mittal an additional Rs. 20,00,000/- cash and Seltos Kia car was demanded but when inability to fulfill the same was shown the accused persons started abusing the family of the first informant and assaulted Rinki even while a video call was going on. On requesting Aman told them to send the money otherwise they would see the dead body of his sister. Since the last one year every week there used to be violence with his sister. The accused persons were consoled many times but they did not stop their activities. On 14.06.2021 even a Panchayat was called in the house of Aman in which family members were present. A settlement was arrived in the said panchayat in which their demands were accepted and 02 days time was taken for fulfilling it but by mistake Rinki was left at her matrimonial house. While going the accused persons threatened the informant and told that if the demands are not met they would have to take Rinki alive or dead from the house. On 18.06.2021 at about 4.30 - 5.00 pm Narendra Singh informed the informant that his sister Rinki has committed suicide. A report be lodged and action be taken.

6. Learned counsel for the applicant argued that although the applicant is the husband of the deceased but he has been falsely implicated in the present case. It is submitted that the deceased committed suicide which is suggestive from the postmortem examination report wherein the doctor opined the cause of death as asphyxia as a result of antemortem hanging. While placing the inquest it is submitted that in the column of the injuries as seen during inquest the Investigating Officer has mentioned that there is no visible injury seen on her body except for the mark on the neck. Further while placing the said inquest it is submitted that Amandeep the husband of the deceased who is the applicant and Jaswanti Devi the mother-in-law of the deceased were present at the time of inquest and the jewellery of the deceased was taken out and handed over to them. Further while placing GD No.076 transcribed on 18.06.2021 it is submitted that Amandeep had informed the police that his wife had locked herself inside the room on which the police reached there and peeped inside and saw a lady hanging. It is further submitted while placing paragraph 6 of the affidavit that the applicant and his wife who is the deceased were happy with the marriage however the applicant lost his job due to which the deceased was unhappy and started living in depression. Further while placing paragraph 7 of the affidavit it is submitted that due to lack of sexual activities between the applicant and the deceased further dissatisfaction was in the life of the deceased which added to her depression and thus she committed suicide. It is next submitted that Jaswanti Devi the

mother-in-law of the deceased has been granted bail by a co-ordinate Bench of this Court vide order dated 04.07.2022 passed in Criminal Misc. Bail Application No. 17963 of 2022, the copy of the said order has been produced before the Court which is taken on record. It is submitted that two of the named accused namely Anju and Abhinav who are also assigned the roles in the first information report have been exonerated during investigation. The applicant has no criminal history as stated in para 23 and is in jail since 20.06.2021.

7. Per contra, learned counsel for the first informant opposed the prayer for bail and submitted that in the present matter P.W.-1 is being examined. It is further submitted that the applicant is the husband of the deceased, he is named in the first information report and there is specific allegation against him. It is submitted that there is a demand of dowry by the applicant and other accused persons. It is submitted that panchayat was held 04 days before the incident at the house of the applicant in which they did not agree to settle the issue but continued to raise their demands and thus the informant and his family members agreed to their demand of dowry. It is submitted that the informant had transferred money through Paytm in the account of the applicant. It is further submitted that postmortem examination report shows one abrasion, and two contusions also apart from ligature mark present on the body of the deceased which shows torture and cruelty soon before her death. It is submitted that the prayer for bail be rejected.

8. Learned counsel for the State also vehemently opposed the prayer for bail and submitted that the deceased died after 01 year & 17 days of marriage with the applicant. The applicant is the husband of the deceased. It is further submitted that there is allegation of torture & harassment of the deceased. It is submitted that the deceased died an unnatural death in her matrimonial house. There is a specific case of demand of dowry. It is further submitted that there are injuries in the postmortem examination report which corroborate the version of torture and harassment of the deceased prior to her death. It is further submitted that in so far as co-accused Jaswanti Devi who has been granted bail is concerned, the said accused is the mother-in-law of the deceased and even in the said order it is mentioned that her case is distinguishable with that of the husband of the deceased. It is submitted that thus the prayer for bail be rejected.

9. After having heard learned counsel for the parties and perusing the record, it is evident that the applicant is the husband of the deceased. There is an allegation of demand of dowry, torture and harassment by the applicant and other co-accused persons. The deceased died an unnatural death in her matrimonial house. Apart from the ligature mark there are three injuries received by the deceased. Four days prior to the death of the deceased there was a panchayat called at the house of the applicant but the demand of dowry was still pressed and was accepted by the first informant to be fulfilled within 02 days. The trial in the matter is under progress and release of the applicant at this stage may have an adverse effect in the trial.

10. Looking to the facts and circumstances of the case, this Court does not find it a fit case for bail, hence, the bail application is rejected.

11. Pending application (s), if any, shall stand disposed of.

Order Date :- 16.4.2025 AS Rathore (Samit Gopal,J.)