

Dinesh and Another Vs. State

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SooperKanoon Citation : sooperkanoon.com/689755

Court : Delhi

Decided On : Apr-09-2001

Reported in : 2001IVAD(Delhi)547; 2002CriLJ108; 91(2001)DLT528; II(2001)DMC33; 2001(58)DRJ626

Judge : Mr. R.C. Chopra, J.

Appeal No. : Crl.M. 396/2001 in Crl. A. 741/2000

Appellant : Dinesh and Another

Respondent : State

Advocate for Def. : Mr. Anil Soni, Adv.

Advocate for Pet/Ap. : Mr. O.P. Wadhwa, Adv

Judgement :

ORDER

R.C. Chopra, J.

1. The appellant No. 2 Smt. Attar Pyari has moved this second application under Section 389 read with Section 482 of the Code of Criminal Procedure for supervision of sentence during the pendency of the appeal. The appellant stands convicted under Section 304 B and 498A of the IPC and sentenced to undergo RI for seven years under Section 304B IPC and RI for 2 years and a fine of Rs.

10,000/- under Section 498A of the IPC.

2. I have heard learned counsel for the appellant and learned counsel for the State. I have gone through the Trial Court records.

3. The earlier application moved on behalf of the appellant mother in law was dismissed by this Court on 5.1.2001 by a detailed order. There appears to be no material change in the facts and circumstances calling for taking a different view in the matter of suspension of the sentence awarded to the appellant-petitioner.

4. According to the prosecution the deceased Babli, daughter-in-law of the petitioner, had died within two years of her marriage and in the course of her post mortem examination 19 injuries were found on her body. Earlier also she was being given beatings and was being harassed on account of dowry demands by the petitioner and her co accused i.e. the husband of the deceased. The evidence on record reveals that right from the time of marriage the petitioner and her family was not happy with the dowry given by the parents of the deceased and as such they used to taunt, harass and even beat her.

5. This Court cannot lose sight of the fact that those who marry their daughters with dreams of providing them happy home get totally broken when they hear the complaints of cruelty and harassment of their daughters at the hands of the in-laws. If such criminals are dealt with leniently, the faith of the young girls in the institution of marriage itself would be shaken. The families where newly wed brides are taunted and haunted on account of dowry demands should always remain mentally prepared to face the rigours of law.

6. Under the circumstances I am of the considered view that there are no grounds at all for suspending the sentence awarded to the petitioner during the pendency of the appeal. The application, therefore stands dismissed. It is, however, directed that the appeals may be listed for final hearing in the first week of October, 2001.

7. Nothing stated herein shall be taken as an expression of opinion of the merits of the appeal pending before this court.

