



3. During the pendency of the present appeal, appellant No.2-Jagmail Dass expired and in view of order dated 08.04.2025 passed by co-ordinate Bench of this Court, the appeal stood abated qua him. Consequently, the present appeal survives only qua appellant No.1-Amarjit Kaur, mother-in-law of the deceased Paramjit Kaur.

BRIEF FACTS

4. The prosecution case, as unfolded during trial, is that Paramjit Kaur was earlier married to one Harpal Dass. The said marriage did not survive and was dissolved through a *panchayati* settlement. It is the case of the prosecution that a sum of Rs.90,000/- was received by the parental family of Paramjit Kaur pursuant to the said settlement. Thereafter, Paramjit Kaur was married to Jagmail Dass (Appellant No.2). According to the prosecution, after the marriage, the accused persons repeatedly demanded payment of the aforesaid amount of Rs.90,000/- from the deceased and subjected her to harassment and maltreatment on account thereof. Unable to bear the harassment and cruelty meted out to her, Paramjit Kaur consumed poison and died in her matrimonial home.

5. Upon completion of investigation, final report under Section 173 of Cr.P.C. was presented against both the accused - Jagmail Dass and Amarjit Kaur. Charges under Sections 304-B and 498-A of IPC were framed vide order dated 04.01.2002 passed by learned Additional Sessions Judge, Sangrur, to which both the accused pleaded not guilty and claimed trial.

6. In order to substantiate the charges, the prosecution examined 15 witnesses and also led documentary evidence. PW-1 Dr. Badri Dass, Medical



Officer, who conducted the post-mortem examination on the dead body of Paramjit Kaur, proved the Post-Mortem Report Ex.PA. On the basis of the report of the Chemical Examiner Ex. PD, he opined that the cause of death was poisoning due to consumption of an organophosphorus compound, sufficient to cause death in the ordinary course of nature. PW-2 Karam Chand, father of the deceased, and PW-3 Palwinder Dass, brother of the deceased, deposed regarding the first marriage of Paramjit Kaur with Harpal Dass, the written settlement Ex.PE pursuant to which a sum of Rs.90,000/- was received, the subsequent marriage of Paramjit Kaur with Jagmail Dass, and the alleged demand of Rs.90,000/- by the accused, coupled with harassment and maltreatment of the deceased on that account and the telephonic communication received shortly before the occurrence. PW-2 Karam Chand also proved the FIR Ex.PD and the wedding card pertaining to the second marriage Ex.P-1 and the list Ex.PG which enlists the dowry articles given at the time of second marriage. PW-4 Sarwan Singh, Ex-Sarpanch, deposed regarding the continuing dispute concerning the aforesaid monetary demand and the circumstances preceding the occurrence. PW-5 Bimal Kumar, a shopkeeper, proved the receipt relating to purchase of a refrigerator by Karam Chand. PW-6 Pritpal Singh, Sarpanch, proved the agreement relating to dissolution of the earlier marriage of Paramjit Kaur with Harpal Dass and payment of Rs.90,000/- pursuant thereto. PW-7 Dalbara Singh, Transport Clerk in the office of the SDM, Dhuri, proved from the official record the registration of the scooter in the name of Jagmail Dass. PW-8 Nirmal Singh, a shopkeeper, proved the receipt relating to the purchase of a BPL colour



television. PW-9 Balwinder Dass, owner of a furniture house at Ahmedgarh, proved the receipt relating to the purchase of a box bed and sofa set. PW-10 Kuldeep Singh proved the receipt relating to the purchase of two iron boxes. PW-11 HC Balbir Singh proved DDR No.25 dated 19.09.2001 Ex.PM. PW-12 ASI Gurbhajan Singh, who had partly investigated the case, deposed regarding the arrest of appellant No.1-Amarjit Kaur and the recovery of dowry articles, including two iron boxes, a refrigerator, a television, the scooter, box beds and a dressing table, vide recovery memo Ex.PH, besides proving the relevant arrest and personal search memos. PW-13 HC Narinder Singh tendered his affidavit Ex.PP in evidence. PW-14 Inspector Joginder Singh, the Investigating Officer, deposed regarding the investigation of the case, including sending the dead body for post-mortem vide police request Ex.PC, taking into possession the belongings of the deceased vide memo Ex.PS, the agreement Ex.PE, bills/receipts Mark-A to Mark-R and Ex.PL, Ex.PJ, Ex.PK and Ex.PI, the wedding card Ex.P-1 and the arrest of the accused persons. PW-15 HC Balwinder Singh tendered his formal affidavits Ex.PV and Ex.PX in evidence.

7. After completion of the prosecution evidence, the statements of the accused were recorded under Section 313 of Cr.P.C., wherein the incriminating circumstances appearing against them in the prosecution evidence were put to them. The accused denied the allegations and pleaded innocence. The defence also examined three witnesses in support of its case. DW-1 Piara Singh and DW-2 Bhim Ram deposed that deceased Paramjit Kaur had been brought to the house of the accused by way of *Karewa* ceremony,



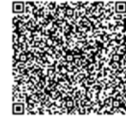
that there was no demand of dowry and that she had never been maltreated or harassed by the accused; they also stated that Jagmail Dass was residing separately from Amarjit Kaur. DW-3 Sukhwinder Singh deposed regarding the first marriage of Paramjit Kaur with his nephew Harpal Dass.

8. Upon appreciation of the evidence, the trial Court concluded that the prosecution had succeeded in establishing all the ingredients constituting offences punishable under Sections 304-B and 498-A of IPC and consequently convicted and sentenced the accused as mentioned hereinbefore.

CONTENTIONS ON BEHALF OF APPELLANT NO.1-AMARJIT KAUR

9. Learned counsel appearing on behalf of the appellant submitted that the judgment of conviction rendered by the trial Court is not based upon a correct appreciation of the evidence available on record and, therefore, deserves to be set aside. It was argued that the prosecution witnesses have materially improved their versions while appearing before the Court and that there is no reliable evidence establishing any demand of dowry by appellant Amarjit Kaur. Learned counsel further contended that the allegations levelled against the appellant are omnibus and general in nature and no specific overt act has been attributed to her.

10. Learned counsel further argued that the actual reason behind the commission of suicide by Paramjit Kaur was the social stigma attached to her second marriage, as her earlier marriage with Harpal Dass had not been dissolved through a decree of a competent Court. According to the learned counsel, the deceased was not accepted by society as the legally wedded wife



of Jagmail Dass and the resultant mental distress compelled her to take the extreme step.

11. It was further contended that the prosecution story regarding demand of Rs.90,000/- is inherently improbable as PW-2 Karam Chand himself admitted that the amount received from Harpal Dass pursuant to the earlier settlement had already been spent on the second marriage of Paramjit Kaur and that the accused were aware of the said fact. Therefore, according to learned counsel, there was no occasion or reason for the accused to insist upon payment of an amount which, to their knowledge, had already been spent.

12. Lastly, it was contended that the marriage between Jagmail Dass and Paramjit Kaur could not be regarded as a valid marriage in the eyes of law since the first marriage of Paramjit Kaur had never been dissolved by a decree of divorce granted by a competent Court. On the aforesaid premises, learned counsel prayed for acquittal of the appellant.

CONTENTIONS ON BEHALF OF RESPONDENT-STATE

13. *Per contra*, learned State counsel has supported the impugned judgment and order of sentence by submitting that the prosecution has succeeded in proving, with cogent and reliable evidence, that the deceased died an unnatural death within seven years of marriage and that she was subjected to cruelty and harassment in connection with a monetary demand shortly before her death.

14. Learned State counsel submitted that the findings recorded by the trial Court are based upon a proper appreciation of the oral as well as documentary evidence available on record. It was contended that the



testimonies of PW-2 Karam Chand and PW-3 Palwinder Dass consistently establish that the deceased was being subjected to harassment and cruelty in connection with a demand of Rs.90,000/- and that such harassment continued till shortly before her death. Learned State counsel submitted that the telephonic communication received by PW-2 approximately one week prior to the occurrence clearly satisfies the requirement of “soon before death” as contemplated under Section 304-B of IPC.

15. Learned State counsel further contended that the so-called omissions and improvements highlighted by the appellant pertain only to peripheral aspects and do not affect the core prosecution case regarding the demand of money and the harassment suffered by the deceased. It was argued that the evidence of PW-2 and PW-3 cannot be discarded merely on the ground that they are closely related to the deceased, particularly when their testimonies are natural, consistent and inspire confidence.

16. It was further submitted that the plea regarding invalidity of the second marriage is wholly misconceived as the evidence on record establishes that the deceased and Jagmail Dass were residing together as husband and wife and a female child was born from the said union. Apart from that, marriage card Ex P-1 is also on record to establish the factum of marriage. Learned State counsel contended that no evidence whatsoever has been led by the defence to establish that the deceased committed suicide on account of any social stigma attached to the said marriage.

17. Learned State counsel further argued that once the prosecution succeeded in establishing that the deceased died an unnatural death as proved



by medical evidence i.e. report of Chemical Examiner Ex PD, within seven years of her marriage and that she had been subjected to cruelty and harassment in connection with a monetary dowry demand soon before her death, the statutory presumption under Section 113-B of the Indian Evidence Act (hereinafter referred to as the 'I.E. Act') stood attracted. It was submitted that the appellant failed to rebut the said presumption by leading any cogent evidence and, therefore, the trial Court rightly recorded conviction. On the aforesaid premises, prayer has been made for dismissal of the appeal.

OBSERVATIONS AND ANALYSIS

18. Heard and record perused.

19. Having considered the rival submissions and perused the record, the following questions arise for determination:-

(i) Whether the prosecution case is liable to fail on account of the alleged invalidity of the marriage between Paramjit Kaur and Jagmail Dass?

(ii) Whether the prosecution has succeeded in establishing the foundational ingredients of Section 304-B of IPC?

(iii) Whether the prosecution has proved that the deceased was subjected to cruelty or harassment in connection with a demand of dowry soon before her death?

(iv) Whether the statutory presumption under Section 113-B of the I.E. Act stands rebutted?

i) Alleged invalidity of marriage between Paramjit Kaur and Jagmail Dass

20. Learned counsel for the appellant has argued that the earlier marriage of Paramjit Kaur with Harpal Dass was never dissolved through a



decree passed by a competent Court and, therefore, the subsequent marriage with Jagmail Dass could not be regarded as a valid marriage in the eyes of law. It has further been contended that the deceased was facing social stigma on account of the said circumstance and that such social stigma, rather than any alleged dowry demand, led to the commission of suicide.

21. The evidence available on record consistently establishes that Paramjit Kaur entered into a matrimonial alliance with Jagmail Dass and thereafter resided in her matrimonial home. PW-2 Karam Chand and PW-3 Palwinder Dass have deposed regarding the solemnization of her second marriage. It has further come on record that a female child was born from the said union. Significantly, the defence itself does not dispute that the deceased was residing with Jagmail Dass and appellant-Amarjit Kaur at the time of the occurrence. So, this plea of appellant is devoid of merit.

22. The Hon'ble Supreme Court in ***Reema Aggarwal v. Anupam, (2004) 3 SCC 199*** observed that provisions enacted to combat cruelty and dowry-related offences cannot be permitted to be defeated by adopting an unduly technical or restrictive interpretation of the marital relationship between the parties.

“9. ... Consequently, the evils sought to be curbed are distinct and separate from the persons committing the offending acts and there could no impediment in law to liberally construe the words or expressions relating to the persons committing the offence so as to rope in not only those validly married but also any one who has undergone some or other form of marriage and thereby assumed for himself the position of husband to live, cohabit and exercise authority as such husband over another woman....

...



18....If the validity of the marriage itself is under legal scrutiny, the demand of dowry in respect of an invalid marriage would be legally not recognizable. Even then the purpose for which Sections 498A and 304B Indian Penal Code and Section 113B of the Indian Evidence Act, 1872 (for short the 'Evidence Act') were introduced cannot be lost sight of. Legislations enacted with some policy to curb and alleviate some public evil rampant (sic) in society and effectuate a definite public purpose or benefit positively requires to be interpreted with certain element of realism too and not merely pedantically or hyper-technically. The obvious objective was to prevent harassment to a woman who enters into a marital relationship with a person and later on, becomes a victim of the greed for money. If such restricted meaning is given, it would not further the legislative intent. On the contrary, it would be against the concern shown by the legislature for avoiding harassment to a woman over demand for money in relation to marriages....It would be appropriate to construe the expression 'husband' to cover a person who enters into marital relationship and under the colour of such proclaimed or feigned status of husband subjects the woman concerned to cruelty or coerce her in any manner or for any of the purposes enumerated in the relevant provisions - Sections 304B/498A, whatever be the legitimacy of the marriage itself for the limited purpose of Sections 498A and 304B Indian Penal Code. Such an interpretation, known and recognised as purposive construction has to come into play in a case of this nature. The absence of a definition or "husband" to specifically include such persons who contract marriages ostensibly and cohabit with such woman, in the purported exercise of his role and status as 'husband' is no ground to exclude them from the purview of Section 304B or 498A Indian Penal Code, viewed in the context of the very object and aim of the legislations introducing those provisions."

23. In the present case, no evidence has been led by the defence to establish that the alleged legal infirmity in the marriage had any nexus with the occurrence in question. More importantly, the prosecution case cannot fail



merely because a technical objection is raised regarding the validity of the marriage when the evidence consistently establishes that the deceased and Jagmail Dass were residing together in a matrimonial relationship and the deceased died while residing in her matrimonial home. This fact also finds support from the defence evidence, which affirms that the deceased was residing in the house of appellant No.2-Jagmail Dass.

24. Equally untenable is the contention that the deceased committed suicide owing to social stigma allegedly attached to the second marriage. No evidence whatsoever has been led by the defence to substantiate the said plea. The witnesses examined in defence have failed to bring on record any incident or specific instance to establish that the deceased was facing social ostracisation or psychological distress on account of the alleged legal infirmity in the marriage. The aforesaid contention, therefore, remains a mere hypothesis unsupported by evidence.

25. This Court, therefore, finds no merit in the contention that the prosecution case is liable to fail on account of the alleged invalidity of the marriage or that the death of the deceased was attributable to any social stigma arising therefrom.

ii) Foundational Ingredients of Section 304-B of IPC

26. For attracting culpability for the offence punishable under Section 304-B of IPC, the prosecution is required to establish the following:-

(i) the death of a woman was caused otherwise than under normal circumstances, such as by burns, bodily injury or otherwise;

(ii) such death occurred within seven years of marriage;



(iii) the deceased was subjected to cruelty or harassment by her husband or his relatives; and

(iv) the cruelty or harassment was in connection with, or in relation to, any demand for dowry, and such cruelty or harassment was soon before her death.

27. In the present case, the first two ingredients stand conclusively established from the evidence on record. PW-1 Dr. Badri Dass conducted the post-mortem examination on the dead body of Paramjit Kaur. Though no external injury was detected, the viscera was preserved and sent for chemical examination. Upon receipt of the report of the Chemical Examiner, the witness opined that the cause of death was poisoning by organophosphorus compound, sufficient to cause death in the ordinary course of nature. The medical evidence, therefore, conclusively establishes that Paramjit Kaur died an unnatural death.

28. It is equally undisputed that the marriage of Paramjit Kaur with Jagmail Dass had taken place approximately four years prior to the occurrence. Consequently, the death occurred within seven years of marriage.

29. The first two foundational ingredients of Section 304-B of IPC thus stand duly established.

30. The remaining ingredients, namely, whether the deceased was subjected to cruelty or harassment in connection with a demand of dowry and whether such cruelty or harassment was inflicted soon before her death, shall be examined while dealing with Issue No.(iii).



iii) Cruelty or Harassment Soon Before Death

31. PW-2 Karam Chand categorically deposed that after the marriage, both accused persons started insisting that the amount of Rs.90,000/-, received by the complainant party upon settlement of the earlier matrimonial dispute of Paramjit Kaur, be paid to them. He further deposed that despite being informed that the amount had already been spent on the second marriage of Paramjit Kaur, the accused continued insisting upon payment thereof and subjected the deceased to harassment and maltreatment.

32. PW-2 further stated that on 12.09.2001, approximately one week before the occurrence, Paramjit Kaur telephonically informed him that accused Jagmail Dass and Amarjit Kaur were beating her and demanding Rs.90,000/-. He assured her that he would visit after arranging some money. However, when he reached the matrimonial home on 19.09.2001, he found her lying dead.

33. The testimony of PW-2 finds material corroboration from PW-3 Palwinder Dass, who deposed on similar lines regarding the demand of Rs.90,000/-, the harassment meted out to the deceased and the telephonic communication received shortly before her death.

34. Learned counsel for the appellant has argued that the demand of Rs.90,000/- is inherently improbable because the prosecution witnesses themselves admitted that the amount had already been spent and that the accused were aware of the said fact.

35. This Court is unable to accept the aforesaid submission. The prosecution case is not that the accused were unaware of the expenditure



incurred by the family of deceased Paramjit Kaur. Rather, the consistent prosecution version is that despite being informed repeatedly that the amount had already been spent, the accused continued insisting upon payment thereof. A demand does not cease to be a demand merely because the person from whom it is sought expresses inability to satisfy the same.

36. The testimony of PW-4 Sarwan Singh also lends assurance to the prosecution version. PW-4 deposed that Karam Chand had informed him regarding the continuing dispute concerning the amount of Rs.90,000/- and that approximately one week prior to the occurrence the said dispute still persisted. Though PW-4 was not an eye-witness to the acts of cruelty, his testimony indicates that the grievance regarding the monetary demand existed prior to the occurrence and was not projected for the first time after the death of Paramjit Kaur.

37. Significantly, PW-4 further deposed that on 19.09.2001 Karam Chand and Palwinder Dass had gone to the village of the accused after arranging some money and that Karam Chand had borrowed a sum of Rs.10,000/- from him. Though the witness did not state that the said amount was intended to be paid to the accused, the aforesaid circumstance materially corroborates the testimony of PW-2 that shortly before the occurrence the deceased had telephonically complained about the demand of Rs.90,000/- and that he had assured her that he would visit after arranging some money.

38. The testimonies of PW-2, PW-3 and PW-4, when read conjointly, establish the existence of a continuing demand of Rs.90,000/- till shortly before her death. The telephonic communication received by PW-2



approximately one week prior to the death, coupled with the evidence regarding his efforts to arrange money thereafter, furnishes a proximate and live link between the harassment complained of and the death that ensued shortly thereafter. The requirement of “soon before death” therefore stands satisfied.

iv) Statutory presumption under Section 113-B of the I.E. Act

39. From the evidence discussed hereinabove, this Court is satisfied that deceased Paramjit Kaur died an unnatural death within seven years of marriage and that she was subjected to cruelty and harassment in connection with a demand of dowry soon before her death.

40. Once the aforesaid foundational facts stood established, the presumption under Section 113-B of the I.E. Act became operative against the accused.

41. The burden, therefore, shifted upon the accused to rebut the aforesaid presumption. In the present case, however, the appellant has not been able to place on record any convincing material to rebut the statutory presumption. Apart from a bare denial of the allegations and the plea that the deceased committed suicide for reasons unconnected with the alleged demand of dowry, no cogent material has been brought on record to probabalise any alternative explanation for her death or to otherwise dislodge the prosecution case.

42. The contention of learned counsel for the appellant that the allegations against appellant-Amarjit Kaur are general and omnibus in nature also does not merit acceptance. As noticed hereinabove, PW-2 specifically



attributed the demand of Rs.90,000/- and the resultant harassment to both the accused persons. PW-3 likewise deposed that both the accused persons were demanding the aforesaid amount and maltreating the deceased on that account. Significantly, the telephonic communication received by PW-2 shortly before the occurrence also specifically referred to both Jagmail Dass and Amarjit Kaur. Thus, the appellant has not been implicated merely on account of her relationship with the husband of the deceased; rather, the prosecution witnesses have attributed to her participation in the demand and the consequent harassment.

43. The Court is conscious that PW-2 and PW-3 are closely related to the deceased. However, it is well settled that the testimony of a related witness cannot be discarded merely on account of relationship. As noticed hereinabove, their evidence, insofar as the role attributed to appellant-Amarjit Kaur is concerned, has been found to be consistent and worthy of reliance. In ***Kans Raj v. State of Punjab, (2000) 5 SCC 207***, the Hon'ble Supreme Court has held that the evidence of close relatives in a case of dowry death cannot be discarded merely on the ground of their relationship with the deceased, if otherwise found reliable.

44. It is also significant that no material has been placed on record by the defence to show that appellant-Amarjit Kaur was residing separately and, therefore, could not have been involved in the acts of cruelty and harassment attributed to her. No document such as a ration card, any certificate issued by the Sarpanch of the village, or any other material has been brought on record to establish that she was residing separately from the deceased and



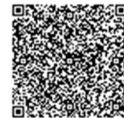
her husband Jagmail Dass. In the absence of any such material, and particularly in view of the specific attribution made by PW-2 and PW-3 as noticed hereinabove, the contention that the allegations against the appellant are merely general or omnibus cannot be accepted. The said contention, therefore, does not assist the appellant in rebutting the statutory presumption arising under Section 113-B of the I.E. Act.

45. Consequently, this Court finds that the presumption arising under Section 113-B of the I.E. Act remains unrebutted. The prosecution case, therefore, receives statutory support, and the burden cast upon the appellant remains undischarged.

Analysis of the Impugned Judgement of Conviction

46. To arrive at the conclusion of guilt, the relevant observations recorded by the learned trial Court read as under:

13. *The learned defence counsel has in the first place argued that the prosecution charges against the accused U/s. 394-B IPC is not proved as the marriage between the accused, Jagmail Dass and Paramjit Kaur, since deceased, is not proved. He has argued that, in fact, Paramjit kaur, since deceased was legally wedded wife of Harpal Dass. I have considered the contention of the learned defence counsel, but find no merit in it. It is a proved fact on record that Paramjit Kaur previously married to Harpal Dass and their marriage did not take off. Within a month differences arose between them and their marriage was dissolved vide a writing Ex. PE (proved by PW-2, Karam Chand and PW-6 Pritpal Singh). Towards settlement, she received a cash sum of Rs. 90000/- from her first husband. That shows the severance of her ties with her first husband. After getting rid of her first husband, she contracted second marriage with present accused, Jagmail Dass. PW-2 Karam Chand PW-3 Palwinder Singh and PW-4 Sarwan Singh and PW-6 Pritpal Singh have testified regarding the factum of second marriage between Paramjit Kaur, since deceased and accused Jagmail*



Dass present in the court. Then there is the wedding card Ex.P-1 also showing the second marriage between the two. As per the defence also Karewa ceremony between the accused, Jagmail Dass and Paramjit Kaur, since deceased was performed. This fact has been sworn even by DW-1 Piara Singh and DW-2 Bhim Ram. Thus, Paramjit Kaur, since deceased, was legally wedded wife of the accused, Jagmail Dass. Karewa marriage is also a recognized from the marriage. I go even a step further and hold that even if a man and woman are living in the same house as husband and wife, for the purpose of sec. 304-B IPC or 498-A IPC, they will be considered husband-and wife. In such like criminal cases, the court is not supposed to go into the detail of marriage like the one in Hindu Marriage Act cases. Thus, in the present case I hold that there is more than sufficient evidence to prove that Paramjit Kaur, since deceased, was the legally wedded wife of accused, Jagmail Dass.

14. *Now it stands proved that Paramjit Kaur w/o accused Jagmail Dass has died an un-natural death living in the house of the accused persons and within seven years of their marriage. There-upon the- evidence of maltreatment of Paramjit Kaur, since deceased by her husband, Jagmail Dass and mother-in-law Amarjit Kaur, who insisted for a cash sum of Rs. 90000/- from the deceased all go to prove beyond reasonable doubt the prosecution's charges against the accused Jagmail Dass and Amarjit Kaur the death of Paramjit Kaur was unnatural, within seven years from her marriage and the accused persons failed to prove it otherwise.*

15. *The learned defence counsel then argued that there are improvements in the statements made by PW-2 Karam Chand and PW-3 Palwinder Singh. I have considered their statements and have also compared them with their statements U/S. 161 Cr. PC recorded by the police during investigation, but find no material improvement or discrepancy or contradiction as far as the material details regarding the occurrence are concerned. Minor details are bound to escape or added in the statements of witnesses made before the police or in the court, but that does not demolish their testimony if they otherwise stand the test of cross-examination. The prosecution testimony is quite natural. There is no reason for the complainant party to falsely implicate or drag the accused persons into the criminal litigation. Paramjit Kaur died after consuming poison in her matrimonial home and shortly after the marriage. No happily living married woman would take*



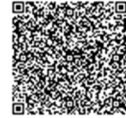
this extreme step. The accused persons failed to prove that the death of Paramjit Kaur was in natural course.

47 A perusal of the aforesaid findings shows that the learned trial Court duly considered the material contentions raised on behalf of the accused and examined the same in the light of evidence available on record. The reasoning adopted by the trial Court, is based upon proper appreciation of the evidence and applicable legal principles, and the conclusions reached by the learned trial Court are neither perverse nor contrary to the evidence on record. This Court, therefore, finds no illegality, material misreading of evidence or perversity warranting interference in the impugned judgement of conviction.

CONCLUSION

48. Thus, upon an overall consideration of the facts of the case, evidence on record and the prevailing laws, this Court finds that the prosecution has succeeded in establishing that Paramjit Kaur died an unnatural death within seven years of her marriage and that she was subjected to cruelty and harassment in connection with a demand of dowry (monetary) soon before her death. The evidence led by the prosecution inspires confidence and has remained substantially unshaken during the cross-examination. The circumstances brought on record are sufficient to attract the presumption under Section 113-B of the I.E. Act, which the appellant has failed to rebut.

49. Consequently, this Court is of the considered view that the trial Court rightly held the accused persons guilty of offences punishable under Sections 304-B and 498-A of IPC. No perversity, illegality, misreading of



evidence or omission of material evidence has been pointed out which may warrant interference by this Court in exercise of appellate jurisdiction.

50. Accordingly, finding no merit in the present appeal, the same is dismissed. The judgment of conviction dated 31.01.2004 and the order of sentence of even date passed by learned Additional Sessions Judge, Sangrur are affirmed.

51. Since the appeal already stands abated qua appellant No.2- Jagmail Das on account of his death, the conviction and sentence of appellant No.1-Amarjit Kaur alone shall remain operative.

52. Pending miscellaneous application(s), if any, also stand(s) disposed of.

53. The Registry is directed to transmit the trial Court record forthwith to the quarter concerned along with a copy of the present judgment.

(SUBHAS MEHLA)
JUDGE

11.08.2026

Manisha

Whether Speaking/Reasoned:	YES/NO
Whether Reportable:	YES/NO