



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

152

**CRM-M No.34045 of 2026
Date of decision : 16.7.2026
Date of uploading : 16.7.2026**

Ajay Singh @ Jagdev Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. N.S. Sidhu, Advocate, for the petitioner

Mr. Adhiraj Singh Thind, AAG Punjab

SUMEET GOEL, J. (ORAL)

1. Present second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.103 dated 19.6.2025 under Sections 108/3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sardulgarh, District Mansa.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Copy of statement Sukhdev Singh son of Darshan Singh son of Channan Singh resident of Rorki, age about 55 years, M.No. 9779814768. Stated that I am a resident of the above said address and I am working as a labourer. My wife Beant Kaur has since been expired about one and a half years. I have three sons. The eldest is Sandeep Singh, age about 35 years, who is married and he is residing separately from me. The younger is Gurvinder Singh, age about 33 years, who is married and he is residing



separately from me. The youngest is Gurjinder Singh, age about 28 years, who was residing with me and used to transport soil on his tractor. His marriage was solemnized about 10 months ago with Gagandeep Kaur d/o Balwant Singh resident of Bhima Police Station Rori District Sirsa. After the marriage, my son Gurjinder Singh was harassed by his in-laws family and threatened that we will file a false case against you and throw you in jail. Consequently my son my son Gurjinder Singh of remain in depression. My daughter-in-law Gagandeep Kaur had left the company of my son many times in anger, the Panchayat of our village had brought back so that her house could be settle down in some way. My daughter-in-law Gagandeep Kaur had earlier made complaints 1-2 times against my son at the Police Station Sardulgarh regarding the assault and harassment and subsequently compromised has been held in the police station. On 17.06.2025, the in-laws family of my son Gurjinder Singh came to our house. My son Gurjinder Singh was not present at home. They came and took his wife Gagandeep Kaur to their village Bhima and threatened on the phone that we will make false complaint at police station Satdulgarh and shall take action against you. Then on 18.06.2025, my son Gurjinder Singh took his tractor to Mirpur Khurd for soil work. Then at about 3-4 PM, he called me and told me that Gagandeep Kaur had filed a complaint against me at the Police Station Sardulgarh of assault, saying that we will ruin you by giving false complaint. Consequently, he remained mentally disturbed. I also received a call to appear before the police station regarding the complaint. Then I told my son that you may call police station and tell them that we will come to the police station tomorrow morning with the Panchayat. My son Gurjinder Singh had come to home from work at around 11 pm and after that I had gone to sleep. Today on 19.06.2025, when I woke up at 05:30 am, I saw that my son Gurjinder Singh was not seen in the house, whom I have searched in all the rooms of the house and then called his phone number 70099-79436, but he did not pick up the phone when I called him several times. Then I went to the house of my brother Kaka Singh to see him, but he was not there. We tried to search him, but he was not found. Then we came to know in the village that a young boy had hanged himself with a tree near Rajwant Singh farm motor. Upon hearing this, I along with my son Gurvinder Singh went at the spot and saw that my son Gurjinder Singh had hanged himself with his own red turban (Parna) from the branch tree, whose body was hanging



with the tree. In the meantime, the Sarpanch of Village named Balvinder Singh and other respectable persons came to the spot. Sarpanch of our village informed about this occurrence to Police Station Sardulgarh through his mobile phone. Then you along with police party have been reached on the spot and took the body into possession. Thereafter I along with my son Gurvinder Singh went to my house and found a suicide note written by my son Gurjinder Singh before his death and which was lying under the pillow of his bed, which I have presented before you and the contents thereof are that; "I Gurjinder Singh village Rorki. Village Bhima responsible for my death, my wife Gagandeep Kaur and her parents Sukhpal Kaur and her mother Sukhpal Kaur and her father Balwant Singh, and Anajay Singh brother of Gagandeep are demanding Rs 10 lakhs from me and Sukhpal Kaur says Gurjinder, I am going to get divorce of my daughter. And they made complaint against me on every third day to Police Station Sardulgarh. I have received a phone call from 80531-62286 from Paramjit Singh from police station that we are going to register a case FIR against you. thank you very much." Please take appropriate legal action according to the suicide note written by my son Gurjinder Singh. I have recorded my statement before you, which has been read over and correct. LTI Sukhdev Singh.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 20.6.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further urged that the genesis of the FIR in question is matrimonial discord between the deceased-Gurjinder Singh and his wife-Gagandeep Kaur and the petitioner has been implicated on account of being brother of Gagandeep Kaur. Learned counsel has further iterated that the offence under Section 108 of BNS (erstwhile Section 106 of IPC) is not made out from the factual *milieu* of the case in hand. To buttress his arguments, learned counsel for the petitioner has relied upon the judgment of the Supreme Court in ***Mohit Singhal & Anr. Vs. The***



State of Uttarkhand & Ors., 2024 (1) SCC 417 and Abhinav Mohan Delkar Vs. The State of Maharashtra and others, 2025 AIR SC 3823.

Learned counsel has further submitted that the petitioner is a man aged about 21 years with clean antecedents. Learned counsel has further submitted that the petitioner has suffered incarceration for more than 01 year. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are direct and serious in nature. Learned counsel has further submitted that the deceased has left behind a suicide note, which clearly reflects the name of present petitioner. Thus, dismissal of the petition in hand is entreated for. Learned State counsel seeks to place on record custody certificate dated 15.7.2026 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 20.6.2025 wherein after investigation was carried out; challan was prepared on 19.8.2025 and subsequently filed. Charges in this case were framed on 29.1.2026. Total 21 prosecution witnesses have been cited but none have been examined till date. It is thus indubitable that culmination of trial will take its own time. The rival contentions raised at Bar; including the contention as to whether the offence under Section 108 of BNS (erstwhile Section 306 of IPC) is made out against the petitioner; shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into



these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per custody certificate date 15.7.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 year and 24 days & is not shown to be involved in any other case.

6.2 Indubitably, the present petition is the 2nd attempt by the petitioner to secure regular bail. The last bail plea preferred by the petitioner was dismissed as not pressed on 14.11.2025. However, keeping in view further incarceration of the petitioner and pace of trial, this Court is inclined to favourably consider the instant plea for bail. A profitable reference, in this regard, can be made to a judgment of this Court passed in ***CRA-S-2332-2023*** titled as ***Rafiq Khan versus State of Haryana and another***; relevant whereof reads as under:

“10. As an epilogue to the above discussion, the following principles emerge:

I. Second/successive regular bail petition(s) filed is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.

II. Such second/successive regular bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.

III. For the second/successive regular bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice. The metaphoric expression of seeking second/successive bail plea(s) ought not be abstracted into literal iterations of petition(s) without substantial, effective and consequential change in circumstances.

IV. No exhaustive guidelines can possibly be laid down as to



what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Making such an attempt is nothing but an utopian endeavour. Ergo, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive regular bail petition(s).

V. In case a Court chooses to grant second/successive regular bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed.”

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the



State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

16.7.2026
Ashwani

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