

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

208

\*\*\*\*\*

**CRM-M No. 23600 of 2023  
Date of Decision : 15.5.2023**

*Gurpinder Singh**..... Petitioner**versus**State of Punjab**..... Respondent*

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Ms. Riffi Birla, Advocate, for the petitioner

Mr. Subhash Godara, Addl. AG, Punjab

---

**TRIBHUVAN DAHIYA J. (ORAL):**

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.17 dated 25.1.2023 under Sections 306 IPC (Section 406 IPC added later on) registered at Police Station Gidderbaha, District Sri Muktsar Sahib.

2. Briefly, allegations in the FIR are, the complainant's daughter was married to Gurpreet Singh in 2009. A son was born out of the wedlock in 2010. His daughter/deceased was teaching in a private school. On 16.1.2023 she came to his house at 10:00 O'clock and was very tense. On asking the reason, she told that while studying in DAV College, Malout, she got acquainted with the petitioner and the two started meeting also. She was induced to hand-over about eight to ten *tolas* of gold to the petitioner which has been misappropriated by him. Her husband and mother-in-law were asking about the gold articles but she was unable to tell them anything about it, and wanted to commit suicide along with her son because nobody would be there to take care of her son. The complainant assured her to get the gold articles recovered by speaking to the

petitioner. She went back home that day. When she did not return from school, her husband called the complainant to ask about her whereabouts. Later, on 25.1.2023, her and her son's dead body was recovered from Rajasthan Feeder Canal, leading to lodging of the FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case, on the ground that the deceased had known her prior to her marriage with Gurpreet Singh in 2009. There is no specific entrustment of any of the alleged gold articles to him, nor any date or time is mentioned. The deceased, in fact, committed suicide on account of the matrimonial discord, with which the petitioner is not concerned. It is too far fetched to contend that his acquaintance with the deceased prior to 2009, would be an instigation for her to commit suicide now after about fourteen years. There is no dying declaration, nor has there been any complaint against the petitioner earlier. The petitioner is in custody and investigation of the case is already over.

4. Learned State counsel, on instructions from ASI Hakam Singh, opposes the grant of bail on the ground that charges in the case are still to be framed, though investigation is complete. He, however, does not dispute that there is no suicide note, dying declaration or any earlier complaint against the petitioner. There are twenty one witnesses to be examined during trial, and the petitioner is in custody since 26.1.2023.

5. The submissions made by learned counsel for the parties have been considered. Investigation of the case is complete, and trial will take some time to conclude as the prosecution witnesses are still to be examined. Nothing is to be recovered from the petitioner. He has no criminal antecedents. Therefore, no useful purpose will be served by confining him to custody any longer.

6. Accordingly, the petition is allowed. The petitioner is ordered to be released on bail to the satisfaction of the trial Court/Duty Magistrate concerned.

(TRIBHUVAN DAHIYA)  
JUDGE

15.5.2023  
*Ashwani*

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