



**104+206 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM-29492-2024 in/and  
CRM-M-19341-2024  
Date of decision: 16.09.2024

Manjit Singh alias Mani ....Petitioner

Versus

State of Haryana ...Respondent

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present:** Ms. Kiran Bala Jain, Advocate  
for the applicant/petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

**HARPREET SINGH BRAR, J. (ORAL)**

**CRM-29492-2024**

The present application has been filed under Section 482 Cr.P.C.  
for placing on record copy of VISA and Immigration Letter (Annexure P-5).

In view of the averments made in the application, the same is  
allowed and copy of VISA and Immigration Letter (Annexure P-5) are taken on  
record subject to all just exceptions.

**CRM-M-19341-2024**

The present petition has been filed under Section 439 Cr.P.C.  
seeking regular bail in case bearing FIR No.145 dated 11.05.2023 under Sections  
304-B/406/34 of IPC registered at Police Station Sadar Ambala, District Ambala.

The FIR (*supra*) was lodged on the statement of the complainant by  
alleging that the marriage of his sister, namely, Sukhdeep Kaur was solemnized  
with Manjit Singh in the year 2017 and he has given enough dowry beyond his  
capacity but the in-laws of his sister started harassing her for bringing less



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dowry, on account of which, his sister told the complainant and her father about the conduct of her in-laws and thereafter, many times, the complainant and his family has given money to her in-laws and still they were harassing her to bring more money, as a result of which, his sister committed suicide and the instant FIR got registered.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case. In fact, the sister of the complainant was under depression for not bearing a child. Further, the depression got aggravated on account of refusal of her visa for United Kingdom and in this regard, the petitioner relies upon Annexure P-5 and submits that her visa was refused on 06.04.2023 and she committed suicide on 11.05.2023 and the allegation made in the FIR (*supra*) with regard to deposit of Rs.4 lakh in the account of the petitioner on 16.12.2022, is incorrect as discernible from the letter dated 06.03.2023 issued by the Indian Bank indicating the status of the account of the sister of the complainant. He further submits that the petitioner is behind the bars for the last more than 01 year and 04 months.

The learned State counsel has filed custody certificate in the Court today which is taken on record and per contra, opposes the grant of regular bail to the petitioner on the ground that the petitioner is the main accused and the death of the deceased has taken place in matrimonial home within seven years and as such, it is incumbent upon the petitioner to explain the circumstances under which the death of the deceased has occurred.



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A two Judge Bench of Hon'ble Supreme Court in '**Satender Kumar Antil v. CBI**' (2022) 10 SCC 51, with respect to prevailing conditions of undertrial prisoner in India has observed:

*“6. Jails in India are flooded with undertrial prisoners. The statistics placed before us would indicate that more than 2/3rd of the inmates of the prisons constitute undertrial prisoners. Of this category of prisoners, majority may not even be required to be arrested despite registration of a cognizable offence, being charged with offences punishable for seven years or less. They are not only poor and illiterate but also would include women. Thus, there is a culture of offence being inherited by many of them. As observed by this Court, it certainly exhibits the mindset, a vestige of colonial India, on the part of the investigating agency, notwithstanding the fact arrest is a draconian measure resulting in curtailment of liberty, and thus to be used sparingly. In a democracy, there can never be an impression that it is a police State as both are conceptually opposite to each other.”*

Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is behind the bars for more than 01 year 04 months and 04 days as on 15.09.2024 and the prosecution has not examined even a single witness till date. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not made much progress as out of 20 prosecution witnesses, none has been examined so far. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the petitioner in further detention



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without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

In view the above, the present petition is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the petitioner-Manjit Singh @ Mani is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)  
JUDGE

16.09.2024  
Neha

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