

2024:PHHC:004851

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

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**CRM-M-31931-2023**  
**Date of decision: 15.01.2024**

Manjit Singh

...Petitioner

V/s

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr.Japjit S. Johal, Advocate,  
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

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**SUMEET GOEL, J. (ORAL)**

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.45 dated 16.03.2023, registered for the offences punishable under Sections 306, 34 IPC at Police Station Dasuya, District Hoshiarpur.

2. The case set up in the FIR in question is as follows:-

*“Statement of Balvir Singh s/o Jarail singh r/o Bhatnura Lubana, Ps Bhogpur, Distt. Jalandhar aged around 39 years phone no. 9876375018. Stated that I am resident of above mentioned address and am posted as a Granthi. I have one sister named Sandeep Kaur aged 37 years, whose marriage was solemnized on 15-1-2010 with Manjit Singh s/o Harbans Singh r/o Bangalipur Ps Dasuya Distt. Hoshiarpur and after the marriage my sister gave birth to two children, son Gurmanpreet Singh aged 12 years, daughter Sukhmanpreet Kaur aged 10 years. Husband Manjit Singh is serving in BSF.*

*Immediately after the marriage the in-laws family of my sister had started misbehaving with her, my sister Sandeep Kaur was often harassed for bringing less dowry and Lakhwinder Kaur, sister-in-law of my sister Sandeep Kaur, is married, but she often visited her parental house at Bangalipur, who interfered in the family matters a lot. Manjit Singh @ Sona s/o Harbans Singh r/o Bangalipur, Kushalaya Devi w/o Harbans Singh, mother-in-law, r/o Bangalipur, also used to harass my sister and used to quarrel with her on daily basis. They did not respect my sister due to which my sister was fed up from her sister-in-law Lakhwinder Kaur r/o Garhdiwala, Manjit Singh husband, Kushalaya Devi. Many a times my sister was turned out of her house by her in-laws after giving beatings to her after which my sister used to stay with us for 6/6 months along. On dated 9-3-2023 my sister Sandeep Kaur called us on phone and told, "my husband Manjit Singh is coming on leave and he is threatening me to teach a lesson once he's back home, I should arrange for myself", we assured our sister that she should not worry and everything will be alright. Today evening we have come to know that my sister Sandeep Kaur has consumed some poisonous substance and has ended her life after being harassed by her mother-in-law Kushalaya Devi, husband Manjit Singh, sister-in-law Lakhwinder Kaur, We reached village Bangalipur alongwith family where the dead body of my sister was lying in the house of her in-laws. after arranging a vehicle we have kept the dead body of my sister at mortuary of CH Dasuya. We have come to know regarding the death of my sister Sandeep Kaur only at 6:30 Pm today. My sister has ended her life after being harassed by husband Manjit Singh, mother-in-law kushalaya Devi, sister-in-law Lakhwinder Kaur. I was coming to inform you alongwith my wife Parveen Kumari you have met statement*

*has been got recorded, heard and found correct. Appropriate legal action be taken against these persons. Sd/-Balvir Singh attested Parveen Kumari, Sd/- Jasvir Singh ASI PS Dasuya dated 15-3-2023.”*

3. Learned counsel for the petitioner submits that the marriage between the petitioner (herein) and the deceased (Sandeep Kaur) was solemnized in the year 2010 & two children were born out of the wedlock. The prime basis of invoking Section 306 IPC against the petitioner are allegations of maltreatment by the petitioner. Investigation in the case is already complete & trial is underway. On these submissions, learned counsel for the petitioner prays that the petitioner be extended the concession of regular bail.

4. Counsel for the State has opposed the present petition by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail.

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

6. The accused is in custody since 16.03.2023 & has undergone incarceration of about 10 months. Investigation in the case has already been completed & challan stands presented on 15.05.2023 wherein 13 prosecution witnesses have been cited by the prosecution. As per the custody certificate, the petitioner is not shown to be involved in any other case. This Court does not deem it appropriate to delve deep into the rival contentions of the parties regarding invoking of Section 306 IPC at this stage lest it may prejudice the case of either of the parties. No tangible

material has been brought on record to indicate the likelihood of the petitioner absconding from the process of justice, who is a serving BSF personnel & further there is no material to indicate that there is any likelihood of the petitioner interfering with the process of justice. In the totality of circumstances of the instant case, this Court does not deem the further detention of the petitioner appropriate.

7. In view of totality of factual matrix of the present case, the instant 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 cellphone 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.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)  
JUDGE

January 15, 2024  
*poonam*

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