



In the High Court for the States of Punjab and Haryana  
At Chandigarh

|                        |                        |
|------------------------|------------------------|
| (I)                    | CRM-M-38366-2024 (O&M) |
| Ram Singh              | ... Petitioner         |
| Versus                 |                        |
| State of Punjab        | ... Respondent         |
| (II)                   | CRM-M-38566-2024 (O&M) |
| Khushdarshan Singh     | ... Petitioner         |
| Versus                 |                        |
| State of Punjab        | ... Respondent         |
| (III)                  | CRM-M-39457-2024 (O&M) |
| Sukhpal @ Sukhpal Kaur | ... Petitioner         |
| Versus                 |                        |
| State of Punjab        | ... Respondent         |

Date of Decision:-18.12.2024

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Atul Kumar, Advocate,  
for the petitioner in CRM-M-38366-2024.

Mr. G.S. Ghuman, Advocate and  
Mr. P.S. Mann, Advocate,  
for the petitioner in CRM-M-38566-2024.

Mr. Gurjant Singh Swaich, Advocate,  
or the petitioner in CRM-M-39457-2024.



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Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

Mr. Harinder Pal Singh, Advocate for the complainant.

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| FIR No. | Dated     | Police Station                                                 | Section/s                                           |
|---------|-----------|----------------------------------------------------------------|-----------------------------------------------------|
| 78      | 22.7.2024 | Koom Kalan,<br>District Police<br>Commissionerate,<br>Ludhiana | 108, 3(5) of Bharatiya Nyaya<br>Sanhita, 2023 (BNS) |

**GURVINDER SINGH GILL, J.** (Oral)

1. This order shall dispose of the aforesaid two petitions filed on behalf of petitioner(s) Ram Singh, Khushdarshan Singh and Sukhpal @ Sukhpal Kaur seeking grant of anticipatory bail in respect of aforementioned FIR.
2. At the time of issuance of notice of motion in all the three cases, the following common order was passed by a Coordinate Bench of this Court on 12.9.2024:

“These petitions have been filed under Section 482 of BNSS, 2023, for grant of anticipatory bail to the petitioners in case FIR No.78, dated 22.07.2024, registered under Sections 108, 3(5) of BNS, 2023 at Police Station Koom Kalan, Police Commissionerate Ludhiana, District Ludhiana.

The aforesaid FIR has been registered on the statement of Randhir Singh, father of the deceased, with the allegation that his son namely, Karanpreet Singh developed relations with a school teacher, namely, Sukhpal Kaur (petitioner in CRM-M-39457-2024) and they both often used to talk to each other over phone. Her husband, namely, Ram Singh (petitioner in CRM-M-38366-2024) and his brother Khushdarshan Singh (petitioner in CRM-M-38566-2024) came to know about said fact. On 17.07.2024, they called up Karanpreet Singh and threatened him that they would come to his



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village and embarrass him and his parents. Karanpreet Singh got scared and he went to the house of his cousin, namely, Lovepreet Singh. On 18.07.2024 at about 5.00 AM, when they were returning to the village, then suddenly Karanpreet Singh got off from the motorcycle and jumped into the canal and committed suicide.

Learned counsel for the petitioners submits that no offence, as alleged, is made out against the petitioners. There is neither any instigation nor the petitioners aided Karanpreet Singh to commit suicide. There is no suicide note against the petitioners. The evidence against the petitioners, if any, is mere hearsay. FIR was lodged after the recovery of dead body of the deceased. Even if allegations in the FIR are considered as correct, no offence under Section 108 of BNS is made out. It is a natural reaction of any husband to threaten the boy who had developed illicit relations with his wife, on phone and to tell him that they would report the same to his parents.

Mr. Harinder Pal Singh, Advocate, has filed *Vakalatnama* on behalf of complainant in CRM-M-38366-2024 in Court today, which is taken on record. He is opposing the petition.

Pursuant to order dated 08.08.2024, status report, in each case, by way of affidavit of Jasbinder Singh, Assistant Commissioner of Police, Industrial Area-A, Ludhiana, on behalf of respondent-State of Punjab, have already been filed in the Registry of this Court, which are taken on record. Learned State counsel submits that the mobile phone of the deceased has been sent to the Digital Forensic Lab, Ludhiana, on 31.07.2024 along with SIM card, however, the report has not yet been received. Custodial interrogation of the petitioners is required to ascertain the modus operandi to commit the crime.

Heard.

There is no suicide note and there is no overt act on the part of the petitioners. The deceased had been talking with the wife of



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petitioner Ram Singh. As per allegations, Ram Singh and his brother threatened the deceased that they will come to his house, insult him and his parents in the village, and on the next morning, the deceased committed suicide. In the investigation, there is only call record there and there is no recording what was the conversation between the petitioners and the deceased. So, the petitioners are directed to join investigation as and when called by SHO/Investigating Officer and in the event of their arrest, they shall be released on interim bail on their furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438

(2) Cr.P.C.:-

- (i) that the petitioners shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave the country without prior permission of the Court concerned.

Adjourned to 18.12.2024.

A photocopy of this order be placed on the file of each connected case.”

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions, the petitioners have since joined investigation and they are not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein the petitioners are stated to have joined investigation and are not required for any custodial interrogation,

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both the petitions are accepted and the interim directions issued by this Court vide common order dated 12.9.2024 are hereby made absolute, subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) BNSS.

5. A copy of this order be placed on the file of each connected case.

18.12.2024

Pankaj

( Gurvinder Singh Gill )  
Judge

|                            |          |
|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |