



CRM-M-44419-2024

-1-

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

CRM-M-44419-2024

Date of Decision: 04.10.2024

SAMANDEEP SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Shivraj Daumajra, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.(ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in the case bearing FIR No.128 dated 14.06.2024 under Sections 306 and 312 IPC, registered at Police Station Samrala, District Ludhiana, Punjab.

Learned State counsel has placed on record custody certificate of the petitioner.

Learned counsel for the petitioner submits that the petitioner has been in custody since 15.06.2024 for allegedly abetting the suicide of Husanpreet Singh. It has been submitted that the allegations levelled in the FIR do not in any manner attract the mischief of an offence under Section 306 of the IPC, much less 'abetment' as defined in Section 107 of the IPC. It has been submitted that no doubt a suicide note was indeed left behind by the deceased, however, the person with whom the wife of the deceased was allegedly having affair was one Satnam Singh whereas

**CRM-M-44419-2024****-2-**

the petitioner was Samandeep Singh. Learned counsel submits that since the investigation in the present case is complete and challan stands presented, further incarceration of the petitioner in the instant case would serve no useful purpose as charges are likely to be framed today coupled with the fact that as many as 19 witnesses have been cited by the prosecution, hence, it would take considerable time for the trial to conclude.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite has not disputed the stage of trial as well as custody period of the petitioner. It has also not been disputed by the learned State counsel that as per the suicide note left behind by the deceased, it had been alleged that his wife was having an affair with one Satnam Singh. However, learned State counsel submits that the petitioner and said Satnam Singh are one and the same person.

I have heard learned counsel for the parties and perused the relevant material placed on record.

It would be apposite to reproduce the allegations levelled in the FIR:-

“Statement of Balwinder Singh son of Tara Singh resident of village Bagli Kalan, Tehsil Samrala, District Ludhiana, age about 47 years, phone no.95923-83058. Stated that I am resident of above-said address. I do agriculture. I have one son namely Husanpreet Singh aged about 27 years and one daughter Mehakpreet Kaur. My daughter Mehakpreet Kaur is still unmarried and has gone abroad to Canada. The marriage of my son Husanpreet Singh was solemnized with Ravneet Kaur daughter of Sukhdev Singh resident of Karodiya, Police Station Payal, District Ludhiana on 03.04.2024 as per rites and rituals. After the marriage my daughter-in-law Ravneet Kaur started



CRM-M-44419-2024

-3-

harassing my son Husanpreet Singh for taking her abroad. Whenever my son Husanpreet used to go to her in-laws, his father-in-law Sukhdev Singh, mother-in-law Sukhjiwan Kaur and brother-in-law Jaspreet Singh used to humiliate him and used derogatory words. When my daughter-in-law Ravneet Kaur was having pregnancy of 7 days, then my daughter-in-law Ravneet Kaur and in-laws family of my son pressurized my son Husanpreet Singh and got aborted the pregnancy by taking her to Deol Hospital, Payal, due to which my son Husanpreet Singh often used to remain quiet. Later, when my son Husanpreet Singh's father-in-law Sukhdev Singh has sustained injury, then my son had left his wife Ravneet Kaur in his in-laws house on 05.06.2024 and on that day also his father-in-law Sukhdev Singh, mother-in-law Sukhjiwan Kaur and brother-in-law Jaspreet Singh had rebuked my son Husanpreet Singh, who told about it to me by coming to home. Then my son Husanpreet Singh went to his in-laws house on 09.06.2024 to bring his wife because the passport enquiry of Ravneet Kaur was fixed on 10.06.2024. But his wife Ravneet Kaur, father-in-law Sukhdev Singh, mother-in-law Sukhjiwan Kaur and brother-in-law Jaspreet Singh humiliated my son very much and sent him back and my daughter-in-law Ravneet Kaur did not come back with my son. When my son came to home then I asked him about it, whereupon he told me regarding humiliation and sending back him by his in-laws family. Then on 10.06.2024 my daughter-in-law Ravneet Kaur along with her brother Jaspreet Singh came to our home in Bagli Kalan and after getting conducted the passport enquiry went back with her brother. Thereafter, they continued to talk over phone and through whatsapp chat. Then one day when my son Husanpreet Singh went to Khanna in connection with some work, then he saw his wife Ravneet Kaur going on a motorcycle with some boy. He told me about this by coming to home and also informed that some days prior to his marriage also he had seen the same boy with his wife Ravneet Kaur in Downtown Hotel, Khanna. But at that time he did not give much attention to it. When he again saw that boy with his wife then my son enquired about that boy and his name was Sanam resident of Daunmajra, Police Station Payal, District Ludhiana. Thereafter, he became very much perturbed and started remaining quiet. My son Husanpreet Singh has ended his life today i.e. on 14.06.2024 at about 12:50 by strangulating him with a



CRM-M-44419-2024

-4-

chunni with ceiling fan due to being compelled by his wife Ravneet Kaur, father-in-law Sukhdev Singh, mother-in-law Sukhjiwan Kaur and brother-in-law Jaspreet Singh and being fed- up with affair of his wife with boy Sanam. One photograph at the time of marriage of my son was found from near the dead body of my son Husanpreet Singh and on the reverse of it a suicide note was written, "Mera jo vi decision eh m lea mera da phone de Notes vich sara Suicide Note likhea hoye mera phone pass: 0000" (The decision which I am taking, said suicide note is written in Notes of my phone. Phone Pass is 0000). Thereafter, when we saw the mobile phone of my son, one suicide note was found in it. I produce the said suicide note and Apple Phone of my son Husanpreet Singh. It is requested to initiate stringent action against the above-said accused."

In the facts and circumstances, as enumerated hereinabove, further incarceration of the petitioner, who does not have any previous criminal antecedents, would serve no useful purpose. Accordingly, the instant petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

04.10.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No