



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

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**CRM-M No.61325 of 2024
Date of decision : 11.12.2024**

Inderjeet Singh @ Inderjit Singh**Petitioner**
Versus
State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Lupil Gupta, Advocate, for the petitioner

Mr. Anup Singh, AAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.67 dated 2.10.2024, under Section 108 of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sadiq, District Faridkot.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Simran Kaur wife of Binder Singh son of Nawab Singh, resident of village Sadik, District Faridkot, age about 38 years, mobile no. 78142-52297. Stated that I am resident of aforesaid address and a household lady. My husband Binder Singh is working as a painter. I am having three children. Eldest daughter Sanjana, age about 19 years; younger daughter Shamma, age about 16 years and youngest son Karamvir Singh is aged about 15 years. My elder daughter Sanjana and



Inderjit Singh son of Jaswant Singh, resident of Sandhura Singh Nagar, Muktsar Road, Mam Singh Wala, were already knowing each other and were looking for getting themselves married with each other, due to which, with consent of both the families, we performed marriage of our daughter Sanjana about three and a half month ago with Inderjit Singh son of Jaswant Singh, resident of Sandhura Singh Nagar, Muktsar road, Mani Singh Wala. Aforesaid Inderjit Singh started harassing and maltreating my daughter Sanjana even after few days of marriage and started raising quarrels with him, due to which my daughter Sanjana was in lot of depression. Today, on dated 02.10.2024, at about 1:30 noon, my daughter Sanjana made phone call to me, who was crying a lot and she, in the state of weeping, informed me that my husband Inderjit Singh is causing beatings to me and he will kill me and you should come and persuade him. At that time, no other member of my family being present at house, I along went to the house of my daughter located in Sandhura Singh Nagar, Muktsar Road, Mani Singh Wala, where my daughter Sanjana, son-in-law Inderjit Singh and his mother Karamjit Kaur were present at home and before my reaching there, my son-in-law Inderjit Singh was already raising quarrel with my daughter Sanjana and was hurling abuses to her in addition of utterance of bad remarks for her, upon which I persuaded both i.e. my daughter Sanjana and son-in-law Inderjit Singh, but, Inderjit Singh did not mend his ways even after my persuasion and I tried to take away my daughter Sanjana with me, then, Inderjit Singh did not allow Sanjana to accompany me. After that, my son-in-law Inderjit Singh dropped me at my house on his motor cycle and left. At about 05 O'clock, in evening, some neighbourer of Inderjit Singh telephonically informed us that your daughter Sanjana has committed suicide by hanging herself with ceiling fan and after that we came to police station and conveyed information and have reached the spot along with you, where dead body of my daughter Sanjana was lying on the bed. My daughter Sanjana had ended her life by hanging herself with ceiling fan because of harassment extended to her by her husband Inderjit Singh. Cause for the grievance is that aforesaid Inderjit Singh was not interested to settle down my daughter Sanjana into his house and was raising quarrels and feud with her. Appropriate legal action against Inderjit Sigh son of Jaswant Singh, resident of Sandhura Singh Nagar, Muktsar Road, Mani Singh Wala may bve initiated. Statement has been got recorded with you; read over and



heard and it is correct. Sd/- Simran Kaur, aforesaid. Counter sign Sd/ Binder Singh. Binder Singh son of Nawab Singh, resident of village Sadik. Attested Sd/- Jai Jeet Singh, ASI, Police Station Sadik, dated 02.10.2024.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 2.10.2024. Learned counsel has further argued that, assuming *arguendo*, the allegations in the FIR are taken to be true, the same reflect primarily matrimonial discord and hence it cannot be said that the petitioner is guilty of offence under Section 108 of Bharatiya Nyaya Sanhita of 2023. Learned counsel has further submitted that the marriage between the petitioner and the victim was a love marriage and there was no question of dowry involved in these circumstances. Thus, regular bail is prayed for.

4. Learned State counsel 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 the regular bail. Learned State counsel seeks to place on record custody certificate dated 10.12.2024 in Court, which is taken on record.

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

6. The petitioner was arrested on 2.10.2024 and the matter is still under investigation. The rival contention of learned counsel for the parties; as to whether the offence of Section 108 of BNS of 2023 is made out against the petitioner or not as also whether there was any question of dowry harassment involved on account of the marriage between the petitioner and the victim being a love marriage; shall be gone into during



the course of trial/investigation.

At this juncture, it would not be appropriate to comment any further on the merits of the matter. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the investigation/trial. As per custody certificate dated 10.12.2024 filed by learned State counsel, the petitioner has already suffered incarceration for more than two months & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present 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 cell-phone 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/Illaqa 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.

(SUMEET GOEL)
JUDGE

11.12.2024
Ashwani

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