



138 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10282-2025

Date of Decision:27.02.2025

Saroj Bala and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kanwaljeet Singh Derabassi, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab.

SANDEEP MOUDGIL, J. (Oral)

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioners in FIR bearing No. 0136 dated 25.09.2024 u/s 108 of BNS, 2023 registered at Police Station Lalru, District S.A.S. Nagar, in the interest of justice.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

Copy of statement, "Statement of Jaswinder Singh son of Pala Ram resident of village Jastana Khurd police station Lalru district SAS Nagar aged 41 years mobile number 9592904673 stated that I am a resident of the said address and I do hard labour. We are four brothers and we have one sister. We are all brothers and sisters are married. We are three brothers are residing separately with own families in village Jastana Khurad and my one brother Jagdish Singh is living at Lalru Mandi. My parents are also living with me in my house. My younger brother Kulwant Singh got married to Mandeep Kaur Dio Raj Kumar resident of Village Ballopur, District Mohali. about 7 years ago. But after marriage,



my brother Kulwant Singh did not have any children. My brother's wife Mandeep Kaur used to fight with my brother for a long time and used to have domestic violence at home all the time. My Sister-in-law Mandeep Kaur had gone against the wishes of my brother Kulwant Singh, who had been having an illicit relationship with another person, Sunny S/o Dev Raj resident of Mohalla Krishna Nagar, Dhangu road, Pathankot for a long time. My brother Kulwant Singh came to know about this. My brother Kulwant Singh used to stop his wife from having illicit relationship with that person Sunny, but Mandeep Kaur did not like what my brother Kulwant Singh said at all. She used to fight with my brother again and again without any reason and would come to her parents house in village Ballopur. About a month ago, a Panchayat agreement was also made between Mandeep Kaur's Family and our family regarding her illicit relationship with Sunny that from now on, Mandeep Kaur will not associate with that Sunny person, Who used to force my brother Kulwant Singh to commit suicide every time. About a week ago, Mandeep Kaur was constantly fighting with my brother Kulwant Singh and was committing domestic violence at home. Yesterday on 24.09.2024, my brother Kulwant Singh had come to his in-laws house in village Ballopur with his wife Mandeep Kaur. In the evening, my brother Kulwant Singh had taken his wife Mandeep Kaur from his in-laws' house and reached his house in Jastana Khurd. When my brother reached home with his wife, then Mandeep Kaur kept abusing my brother. Meanwhile, my sister-in-law Mandeep Kaur's parents, father Raj Kumar, mother Saroj and their neighbour Sheela W/o Kuldeep Singh also reached at my brother Kulwant Singh's house, it must have been around 09:00 pm/09:30 pm, and as soon as they arrived, they started fighting with my brother Kulwant Singh. Hearing their noise, I also reached my brother Kulwant Singh, and saw that these four people Mandeep Kaur, Raj Kumar, Saroj, Sheela were fighting with my brother Kulwant Singh and were repeatedly inciting my brother to commit suicide. My brother was also repeatedly saying that my wife Mandeep Kaur and her family members had ruined my life. My wife did not let me show my face in the society by humiliating me, now I have no right to live. I am forced to commit suicide due to harassment by my wife and in-



laws. In the meantime, my brother Kulwant Singh drank the poisonous medicine kept in his room. When brother started vomiting and feeling dizzy, these four men and women ran away from my brother's house. Then when my brother's condition started to become very critical, my another brother Krishan Singh took his brother Kulwant Singh in a private vehicle for treatment first to the Govt. Hospital Derabassi, where the Doctors, seeing my brother's condition as serious, referred to GMCH Sector 32, Chandigarh, which we admitted him to GMCH Sector 32, Chandigarh by ambulance. At that time, my brother had become unconscious. Today on 25.09.2024, my brother Kulwant Singh died during treatment at GMCH Sector 32, Chandigarh. My brother died after being harassed by his wife Mandeep Kaur, father-in-law Raj Kumar, Mother-in-law Saroj and their neighbour Sheela w/o Kuldeep Singh, who forced him to commit suicide. My brother ended his life by consuming poisonous medicine. I had kept the body at the mortuary in GMCH Sector 32, Chandigarh and informed my other family members and other relatives about the death of my brother. I was going to the Police Station Lalru with my cousin Ranjit Singh son of Raj Singh resident of village Jastana Khurd, I found you along with Police Party outside the gate of Police Station Lalru on main GT road. I have made you write a statement regarding the suicide committed by my brother Kulwant Singh. I have read it and it is correct. Please take appropriate legal action against all above said persons. Sd/-Jaswinder Singh, Verified Statement Sd/- Ranjit Singh, Attested Sd/-Jaswinder Singh ASI, Police Station Lalru dated 25/09/2024. Police Action: Today on 25.09.2024, a telephone message received from PP GMCH Sector 32, Chandigarh that Kulwant Singh son of Pala Ram resident of Village Jastana Khurd, who was admitted to the Hospital for treatment after consuming poisonous medicine, has died during treatment. Please send 10 for action. On which I ASI along with Sepoy Gurvinder Singh number 1929/SAS Nagar, Sepoy Aman Singh number 1984/SAS Nagar, PHG Kuldeep Singh 30015 had left for GMCH Sector 32, Chandigarh to take action regarding deceased Kulwant Singh, then the complainant Jaswinder Singh along with his Uncle's son Ranjit Singh S/o Raj Singh appeared at



gate of Police Station Lalru near main GT Road before me ASI and recorded his statement. The statement which was written, read and recited, the person who read the statement and believed it to be correct, signed the statement and person who accompanied by him also signed his signature in support of the statement. I ASI attested the statement. From the statement above, the offence under section 108 of BNS has been made out. Therefore, the statement is sent to the Police Station through hand of Sepoy Gurvinder Singh number 1929/SAS Nagar for registration of FIR under above offence against Mandeep Kaur, Saroj. Sheela, Raj Kumar. After registration of FIR, the file number to be made known. Special reports be prepared and according to the statement of the complainant, a person Sunny son of Dev Raj resident of Mohalla Krishna, Dhang Road, Pathankot, is under investigation and if any role is revealed in this matter, then he will also be named as the rightful accused in the case and legal action will be taken under investigation.

3. Contention

On behalf of the petitioner

Learned counsel for the petitioners contends that they have been falsely implicated in the present case on account of suicide committed by their son-in-law. Learned counsel for the petitioners submits that in fact the deceased-Kulwant Singh had developed strained relations with his own family as they are continuously harassing him for parting ways with wife namely Mandeep Kaur, who is the daughter of the petitioners.

On behalf of the State

Learned State Counsel appearing on advance notice, on instructions from the Investigating Officer, oppose the instant petition on the grounds that the petitioners along with their daughter Mandeep Kaur had been instigating the deceased-Kulwant Singh to commit suicide.

4. Analysis



Be that as it may, after given a thoughtful consideration to the submissions as made by counsel for the parties and perusing the record, this Court is of the considered view that the story of the prosecution seems to be improbable, particularly in light of the fact that the deceased Kulwant singh was admittedly taken to the hospital at the night of 24.09.2024 and upon his condition being found to be serious he was referred to the Government Medical College and Hospital, Sector 32, Chandigarh, and it was only on 25.09.2024, that he died during the treatment and thereafter the matter was informed to the police by his brother-Jaswinder Singh. This very fact in itself leaves doubt in the mind of this Court as to why the information to the police was given at a later stage after knowing fully well that the deceased had consumed poison on 24.09.2024, which was also witnessed by the complainant himself along with all the humiliation faced and force used against the deceased by four persons who after noting the deceased condition ran away from the spot. No fruitful purpose would be served by sending the accused behind the bars, as such, this Court finds no cogent reason to deny the concession of anticipatory bail to the petitioners as they are ready and willing to join the investigation to cooperate with the investigating officer for furtherance of the investigation.

5. **Decision**

In the light of above, the petitioners are hereby directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioners shall



also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

“When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.”

However, it is made clear that in case the petitioners does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

27.02.2025

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