



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

CRM-M-10447-2025 (O&M)

Date of Decision:07.05.2025

Nirbhai Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. K.B.S. Mann, Advocate for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, Sr. DAG.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 483 of BNSS, for grant of regular bail to the petitioner in case bearing FIR No.81 dated 03.08.2024 under Sections 85, 105, 3(5) of BNS registered at Police Station Kabarwala, District Sri Muktsar Sahib.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been in custody for about 08 months and 29 days. The investigation in the present case has been completed and the challan has been presented. Charges were framed on 17.03.2025, but no prosecution witness has been examined till date. He submitted that the petitioner is the husband of the deceased and the death occurred about one year after the marriage. However, it is not a case of any atrocities being committed by the petitioner against the deceased. Rather, it is a case where the deceased became pregnant and according to the allegations, the

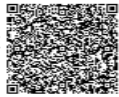


petitioner was negligent in not providing proper treatment and medicine to her on time. Furthermore, the petitioner himself had taken the deceased to the hospital where she died later on. He further submitted that vague allegations have been levelled against the petitioner regarding the demand for dowry. According to the viscera report, neither any poison was detected nor were any injury marks found on the body of the deceased and it was a case of natural death due to complications in the pregnancy of the petitioner's wife, who had died. He further submitted that in view of the aforesaid facts and circumstances since the petitioner has already faced incarceration for about 08 months and 29 days and the investigation in the present case has already been completed, the petitioner may be considered for the grant of regular bail.

3. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct and the investigation in the present case has already been completed and challan has also been presented. He however submitted that allegations against the petitioner and other co accused are serious in nature as the same are pertaining to negligence during the pregnancy of wife of the petitioner and therefore the petitioner is not entitled for grant of regular bail.

4. I have heard the learned counsels for the parties.

5. The custody of the petitioner has come out to be 08 months and 29 days. As per both the learned counsels for the parties, the investigation in the present case has already been completed, the challan has been presented and charges have been framed. As per the allegations in the FIR, the petitioner and the other co-accused were negligent in providing



treatment to wife of petitioner, who died during her pregnancy. However, as per the learned counsels, neither any poison was detected nor were any injuries found on the body of the deceased. It is yet to be determined at the time of trial whether the death occurred due to atrocities committed upon her or if it was a natural death. Furthermore, it is neither the case of the learned State counsel nor it has been argued that if the petitioner is released on bail, he may abscond, flee from justice, influence witnesses, or tamper with evidence. Therefore, considering the aforesaid totality of the circumstances in the present case, this Court deems it fit and proper to grant regular bail to the petitioner .

6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

07.05.2025

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