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

CRM-M-17406-2025

Date of Decision: 04.04.2025

Bagga Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Kulwinder Singh, Advocate
for the petitioner.

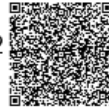
Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

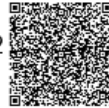
1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.54 dated 25.07.2024 registered under Sections 108, 3(5) of BNS, at Police Station GRP Bathinda, District Government Railway Police (Bathinda).

2. The FIR in the present case was registered on the basis of the statement made by Kulwant Kaur alias Kato wife of Mana Singh and the same has been reproduced below:-

“Copy of statement of Kulwant Kaur alias Kato wife of Mana Singh son of Kapura Singh, resident of near Government School Village Mahinangal, P.S. Talwandi Sabo, Distt. Bathinda, aged about 64 years Mobile No.98149-03660. Stated that I am resident of above said address. I am household and illiterate lady. My husband had died about 30 years back. I have three daughters and two sons, who are all married. That I am residing with my

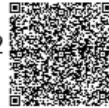


youngest son Jagsir Singh alias Seera at his house. The marriage of my son Jagsir Singh alias Seera was solemnized about 8 years back with Veerpal Kaur daughter of Bagga Singh, resident of Mansa. Further two daughters were born to him. After some time of marriage, the relationship of Jagsir Singh and his wife became strained. On many occasions my daughter-in-law Veerpal Kaur would go to her parental house at Mansa upon being annoyed in her matrimonial life. Now about one month back, she had come to her parental house at Mansa after being annoyed in the matrimonial relationship. Earlier also there had been an ongoing dispute between husband and wife. Yesterday on 24.7.2024, my daughter-in-law Veerpal Kaur accompanied by her mother had come to our house at Village Mahinangal and then went back to Mansa along with her mother after collecting her clothes and other household articles. When my son Jagir Singh came back home in the evening then I told him that your wife Veerpal Kaur has taken away her clothes and belongings. Thereafter my son also followed my daughter-in-law Veerpal Kaur to Mansa. During the night I went to Bathinda to see my grand daughter Jaspreet Kaur as my grand daughter Jaspreet Kaur was admitted at Government Hospital Bathinda for delivery. At about 9 p.m. I called my daughter-in-law Veerpal Kaur from the mobile phone No.98149-03660 of my grand daughter Jaspreet Kaur at her mobile phone No.98886-93513 and asked her whether Jagsir Singh has reached at your place at Mansa. She replied that Jagsir Singh has yet not reached at Mansa. After some time my son Jagsir Singh called me from the mobile phone of my daughter-in-law Veerpal Kaur. At that time there was noise in the background. Jagsir Singh told me that my father-in-law Bagga Singh and my younger brother-in-law Harwinder Singh and two unidentified persons have beaten me and they have said that you should commit suicide by jumping in front of train. I have been badly insulted today. I will commit suicide by jumping in front of the train. Thereafter today morning my



daughter-in-law Veerpal Kaur has told me that my husband Jagsir Singh has died by getting crushed under the train. I am sure that my son Jagsir Singh has committed suicide by jumping in front of train as he could not tolerate the insult after being beaten up by his father-in-law Bagga Singh son of Ruldu Singh and younger brother-in-law namely Harwinder Singh son of Bagga Singh, residents of near Railway under Bridge, Ward No.14, Mansa and two unidentified persons. Legal action be taken against them. I am complainant. I have got recorded my statement, the same has been read over to me and is correct. Sd/- Kulwant Kaur alias Kato.”

3. Learned counsel for the petitioner contends that the complainant had alleged that the petitioner had given beatings to his son-in-law, namely, Jagsir Singh (since deceased) and due to the said beating, Jagsir Singh had committed suicide by jumping in front of the train. Learned counsel next contends that even from the allegations levelled by the complainant in the FIR, no offence under Section 306 IPC is made out against the petitioner. The petitioner had never instigated the deceased to commit suicide in any manner. Learned counsel further reliance upon the orders (Annexures P-2 to P-4), whereby the concession of regular bail has been granted to Harwinder Singh and the concession of anticipatory bail has been allowed to Manpreet Singh and Jaspreet Singh. The petitioner was arrested in the present case on 25.07.2024 and the charge has been ordered to be framed against the petitioner. There are total 20 witnesses, however, only 02 witnesses have been examined so far.



4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had abetted the suicide of Jagsir Singh and is the main accused.

5. I have heard the learned counsel for the parties and perused the record.

6. In the present case, the issue as to whether the petitioner had abetted the suicide of Jagsir Singh or not is a moot point, which has to be adjudicated by the trial Court. At this stage, the petitioner is in custody for the last more than 08 months and the prosecution has been able to examine only two witnesses so far. Thus, the conclusion of the trial may take quite a long time and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

04.04.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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