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

CRM-M-22174-2025

Date of Decision: 01.05.2025

Kewal Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Paramjit Singh Jammu, Advocate, for the petitioner.
Mr. Tanuj Sharma, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting regular bail in case FIR No.06 dated 04.01.2025 under Section 108, 3(5) of BNS, 2023 (Section 306, 120-B IPC), registered at Police Station Dabwali Sadar, District Sirsa.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Pawan Kumar. It was alleged that his father Radhey Shyam was 38 years of age. Kewal (petitioner), Rajender and Chhotu Ram are his neighbours. They had a dispute with their neighbours on their vacant plot, which is situated behind their house. Kewal, Rajender and Chhotu Ram were harassing his father and were demanding Rs.10 lacs from him time and again. His father was threatened to give money. On 28.10.2024, his mother Anju Devi committed suicide by consuming some poisonous substance, however, the same was not reported to the Police. Thereafter, on 03.01.2025, his father had gone to the fields for bringing fodder and there he consumed sulphas tablets. On getting the information, he reached the farm and shifted his father to the Hospital,



however, he died during the treatment. It was alleged that his father committed suicide on the instigation of Kewal, Rajender, Chhotu Ram and Anil Kumar. Request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced and the petitioner was arrested on 27.01.2025. He approached the Court of learned Additional Sessions Judge, Sirsa praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 18.04.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition.

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely and frivolously implicated in the present case. He submits that the allegations made by the complainant are without any basis. It is submitted that in all there are four accused in the present case, out of which two accused have been granted anticipatory bail by this Court. He submits that on bare reading of the allegations made in the FIR, offence under Section 306 IPC read with Section 107 IPC is not made out. He submits that learned trial Court has declined the bail of the petitioner relying upon one pendrive, however, perusal of the contents of the same also not fulfill the essential ingredients for the instigation of suicide by the deceased. He further submits that out of four accused, deceased made allegations against one Anil Kumar, who has already filed a recovery suit against the deceased. He submits that investigation is complete and challan is presented. He submits that the petitioner has no criminal antecedents and thus, he deserves to be granted bail.



4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner was duly named in the FIR. He submits that complainant side has produced a pendrive in which deceased specifically alleged against the petitioner and the co-accused, who instigated the deceased to commit suicide. He, thus, submits that the petitioner does not deserves any concession of bail. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the deceased in the present case is Radhey Shyam, i.e. father of the complainant. The allegations made against the petitioner and the co-accused are that they instigated his father to commit suicide as they were allegedly demanding Rs.10 lacs on account of dispute over a plot. The allegations have been made against one Anil Kumar as well, who is said to have filed a recovery suit against the deceased. Out of total four accused, two accused have already been granted anticipatory bail by this Court. Whether offence under Section 306 IPC read with 107 IPC is made out against the petitioner or not, is a subject matter of trial. As reflected from the custody certificate, the petitioner has suffered incarceration of 03 months & 03 days as on 30.04.2025. It further reflects that the petitioner has no criminal antecedents.

6. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is



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ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

01.05.2025
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE