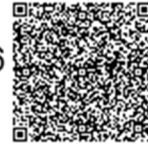


2025:PHHC:119906



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

CRM-M-22199-2025 (O&M)

Reserved on : 29.08.2025

Pronounced on : 04.09.2025

Jaswant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Arshdeep Singh Sivia, Advocate and
Mr. Abhishek Rawal, Advocate
for the petitioner.

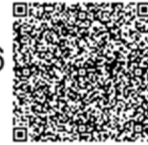
Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J.

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 66 dated 05.09.2022, registered under Sections 306 and 120-B of IPC at Police Station Lakhewali, District Sri Muktsar Sahib.

2. The aforementioned FIR was registered on the statement of complainant Charanjit Kaur on the allegations that the marriage of his brother Dilbagh Singh was performed with Paramjit Kaur. Dilbagh Singh had died. After his death, Paramjit Kaur used to harass the members of her in-laws family. She had got registered a case under Section 376 of IPC against Subeg Singh, who was father of the complainant. Due to the said reason, Subeg Singh was very perturbed and committed suicide on 05.09.2022 while leaving behind a suicide note, whereby he had held Paramjit Kaur and her family members responsible for his death. After registration of the FIR, investigation proceedings were initiated. The petitioner, who was on visiting terms with the

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family of aforesaid Paramjit Kaur, was arrested on 29.12.2024 and is in custody since then. Co-accused were also arrested and later on released on bail. Investigation now stands completed and the petitioner along with co-accused is facing trial for commission of aforementioned offences.

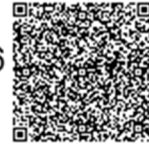
3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was found innocent. His name was kept in Column No. 2 of the challan report but he was later on wrongly arrested by the police. Co-accused Mahindro Bai, Kulwant Singh, Kelash Kaur, Bachan Singh, Saraj Singh, Kashmir Singh and Paramjit Kaur have been extended benefit of anticipatory/regular bail. Investigation has been completed. Conclusion of trial would take considerable time. Further incarceration of the petitioner would not serve any useful purpose. The petitioner has clean antecedents. He has permanent abode. He is 70 years of age and there is no chance of his absconding. Hence, it is urged that the present petition deserves to be allowed and the petitioner deserves to be released on bail.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that there are serious allegations against the petitioner as he in connivance with co-accused had abetted the suicide by the victim. There are chances of his dissuading the prosecution witnesses, if released on bail. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the material placed on record carefully.

6. The petitioner along with co-accused is alleged to have abetted the suicide by victim Subeg Singh, who was father-in-law of Paramjit Kaur. He is alleged to have left a suicide note. The contents of the same have been

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read by learned State counsel in the Court. However, no specific allegations are shown to have been levelled against the petitioner. Co-accused, against whom there were similar allegations, have already been extended benefit of bail. The well settled proposition of law is that in cases of abetment of suicide, the prosecution must show a proof of direct or indirect act of incitement to the commission of suicide by the accused. Allegation of harassment of the deceased by the accused does not suffice, unless there is some material on record to show that some particular action on the part of the accused had compelled the victim to commit suicide and his suicide was proximate to such offending action. It must be shown that the accused played some active role by an act of instigation or by doing certain acts to facilitate the commission of suicide. It is also well settled proposition of law that to prove the offence of abetment, it must be the state of mind of the accused to commit a particular crime must also be visible so as to determine the culpability of his action, meaning thereby that there must be some *mens rea* and some material on record to establish that he or she had a guilty mind and in furtherance of that state of mind, the suicide by the victim was abetted. Reference can be made to the authority cited as ***Aranb Manoranjan Goswami vs. State of Maharashtra and others : 2020 SCC Online SC 964***, wherein it was observed by Hon'ble Supreme Court that in order to bring out an offence under Section 306 of IPC, specific abetment as contemplated under Section 107 of IPC on the part of the accused with an intention to bring out the suicide of the person concerned as a result of that abetment is required. It was also observed that the intention of the accused to aid or to instigate or to abet the deceased to commit suicide is a must for this particular offence under Section 306 of IPC. However, in the

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present case, there is nothing on record at this stage to show that the petitioner had played an active role by an act of instigation or by doing certain acts to facilitate the commission of suicide by victim Subeg Singh. The petitioner is in custody since 29.12.2024. Trial would take considerable time to conclude. The petitioner has clean antecedents. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

04.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No