

2025:PHHC:076130



119

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

**CRM-M-32542-2025
DECIDED ON: 16.06.2025**

GURDEEP SINGH**.....PETITIONER****VERSUS****STATE OF PUNJAB AND ANOTHER****.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. L.S. Sidhu, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) (equivalent of Section 438 Cr.P.C.) for grant of anticipatory bail to the petitioner in case FIR No. 130, dated 31.05.2025, registered at PS Sadar Mansa, District Mansa, under Section 108 of The Bharatiya Nyaya Sanhita, 2023 (BNS) (equivalent of Sections 306 of Indian Penal Code, 1860).

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

“Copy of statement, "Statement of Jaspreet Kaur daughter of Sukhwinder Singh alias Bhindi son of Chanan Singh, resident of Barnala, aged about 18 years, mobile No. 87250-48335. Stated that I am resident of aforesaid address and I am taking a salon course (a beautician course), at Mansa. My father Sukhwinder. Singh alias Bhindi has died about 04 years back. We are three brothers and sisters. I am eldest among all. Younger to me is my sister Hushanpreet Kaur and the

youngest one is my brother Harman Singh. Now, we all three brother and sisters alongwith my mother Amandeep Kaur alias Sukhdeep Kaur were living in the family. My mother Amandeep Kaur alias Sukhdeep Kaur was in touch with Gurdeep Singh, son of unknown, resident of Kulheri, for the last about 10 years. He used to visit our home. Now for the last about 01 week there was an ongoing dispute between Gurdeep Singh and my mother Amandeep Kaur alias Sukhdeep Kaur. On dated 29.05.2025, at about 11:00 AM, I talked from my mobile No. 87250-48335 to Gurdeep Singh, on his mobile No. 97809-00953. He started using inappropriate words against my mother and said that the character of your mother is not upright and apart from me she is going around with other persons too. In this regard, I telephonically informed my mother. My mother Amandeep Kaur alias Sukhdeep Kaur said that I will myself talk to Gurdeep Singh in this regard. Yesterday, on dated 30.05.2025, at about 10:00 AM, Gurdeep Singh called me from his mobile No. 97809-00953 on my mobile No. 87250-48335 and asked that where your mother is. On this, I said to him that I do not know about my mother, where she is. Yesterday, on dated 30.05.2025, at about 08:00 PM, my maternal aunt (MAMI) Jyoti Kaur wife of Amritpal Singh, resident of Bigadwal, who was visiting our village Barnala since last many days to meet us, telephonically called me and informed that your mother Amandeep Kaur alias Sukhdeep Kaur has consumed some poisonous medicine. When I reached at home I saw that my mother was lying unconscious on the cot and many people had assembled at our home. Thereafter, we arranged for the vehicle from the village and initially took my mother to the hospital of Darshan Singh, at village Khara, where Doctor Sahib provided the basis first aid. There my mother, in my presence, told my paternal uncle (TAYA) Gurjant Singh that she has consumed celphos tablet upon being harassed by Gurdeep Singh. Thereafter, we got her admitted at Bansal Hospital, at Mansa, for treatment. There my mother Amandeep Kaur alias Sukhdeep Kaur died during the treatment. Thereafter we admitted the dead body of my mother at Civil Hospital, Mansa for its postmortem examination. My mother Amandeep Kaur alias Sukhdeep Kaur has ended her life by consuming celphos tablet upon being harassed by Gurdeep Singh,

resident of Kulheri and also for the reason that inappropriate words were used by Gurdeep Singh against my mother. Legal action may be taken against Gurdeep Singh. I have got recorded my statement, the same has been read out to me and is correct”

3. **Contention**

On behalf of the petitioner

At the outset, learned counsel for the petitioner submits that the matter has been compromised between the parties on the basis of compromise dated 06.02.2025 (Annexure P-2), with the intervention of the respectable of the society, the complainant does not want to pursue with the matter any further.

Notice of motion.

On behalf of the State/complainant

Mr. Jagraj Singh Khiva, Advocate has put in appearance on behalf of respondent No.2 and filed his *memorandum of appearance*, which is taken on record. He admits the factum of compromise (Annexure P-4) and also endorsed no objection, in case the present petition is allowed and petitioner is admitted on bail.

On the asking of Court, Mr. Jasjit Singh Rattu, DAG Punjab, accepts notice on behalf of respondent/State and submits that in the light of compromise entered between the parties, custodial interrogation of the petitioner is not required.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that the parties have amicably resolved the matter on the basis of compromise dated 06.02.2025 (Annexure P-2), this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is

ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his 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 petitioner 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 petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

16.06.2025

Meenu

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*