

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(230)

CRM-M-40926-2025 (O&M)

Date of Decision: 20.11.2025

JASPAL KAUR ALIAS PALI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. J.K. Singla, Advocate,
Ms. Shivani Singla, Advocate and
Ms. Suman Rani, Advocate for the petitioner.

Mr. Luvinder Sofat, Sr. DAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 BNSS has been invoked for grant of regular bail to the petitioner in case FIR No.31 dated 10.02.2025 under Sections 108 and 3(5) of BNS, registered at Police Station Sadar Mansa, District Mansa.

2. The translated version of the FIR is reproduced below:-

“Copy of statement, Statement of Badal Singh Son of Janta Singh Son of Bhura Singh, resident of Kharak Singh Wala, aged about 22 years, M.No.97801-xxxxx stated that I am resident of above-mentioned address and working as labourer. We are three brother and sisters i.e. elder from all my sister xxxxx aged about 27 years, younger to her Chamkaur Singh aged about 25 years and youngest from all me. Marriage of my elder sister xxxxxx was solemnized about 9 years ago with Manpreet Singh Son of Lachman Singh, resident of Thutianwali and two girls were born out from their wedlock i.e. elder girl aged about 7 years and younger girl is about 4 years. After marriage, Manpreet Singh kept/stayed properly with my sister for about two years and thereafter, started harassing my sister on petty issues and now, about 3-4 years ago, Manpreet Singh has developed his relations with one another women xxxxx wife of



Golu Singh, resident of Tungwali now resident of Dhaniya Village Thutianwali and mostly resided with xxxxx and whenever came to home then beaten my sister xxxxxx and thrown her away from house. xxxxxx i.e. sister-in-law also helped him in beating my sister xxxxxx who is residing in her parental house. We earlier make understand with regard to giving beating to my sister xxxxxxxx to Manpreet Singh and her in-laws family number of times after visiting in her in-laws house at Village Thutianwali but he has not stopped. Now, on 08.02.2025 also Manpreet Singh beaten my sister and due to this reason, on said day, I and my mother xxxxxxxx and my brother Chamkaur Singh all of three came into in-laws house of my sister at Village Thutianwali Kenchian, Mansa and make fully understand to Manpreet Singh and xxxxx but Manpreet Singh and xxxxx pulled my sister xxxxxx in our presence and Manpreet Singh told that I will not keep you in my house and I will stay with xxxxx. Thereafter, we came back to home after leaving my sister xxxxxx at his in-laws house. On the same day on 08.02.2025 in evening my sister xxxxxx has consumed some poisonous substance due to harassment caused by her husband xxxxxx, sister-in-law xxxxxx and xxxxxx and due to this reason, her in-laws family got admitted xxxxxx at Civil Hospital, Mansa for treatment and from where she was referred to AIIMS Hospital, Bathinda and during treatment my sister xxxxxx expired in mid-night of 09/10.02.2025, My sister xxxxx finished her life by consuming poisonous substance due to harassment from the hands of her husband Manpreet Singh, sister-in-law xxxxx and above said xxxxx. Legal appropriate action be taken against them. Statement got recorded with you, heard, correct. Sd/- above said Badal Singh. The above said Badal Singh after recording his above said statement then put his signatures in my presence. Sd/- Janta Singh Panch Son of Karam Singh, resident of Kharak Singh Wala. Attested by Om Parkash ASI/211, Police Post Thutianwali, Police Station Sadar Mansa dated 10.02.2025.”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the instant FIR on the statement of the brother of the deceased. It is submitted that the petitioner neither had any relation with the husband of the deceased, as has been portrayed, nor did she commit any alleged acts of cruelty. It is the further submission of the learned counsel that there is no material on record to connect the petitioner with the alleged offence. Reference is also made to the judgment of the Hon’ble Supreme Court passed in “**Jayedepsinh Pravinsinh Chavda and others vs.**

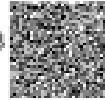


order to bring home charges under Section 306 IPC, there must be intention and active aiding or abetment of the commission of suicide, and that mere harassment by itself is not sufficient to hold an accused guilty of abetting suicide. It is submitted that in the present case also, the ingredients of Section 306 IPC are not made out against the petitioner. He further submits that the petitioner has undergone an actual custody of 8 months and 21 days.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He states that the petitioner was actively involved in the commission of the offence. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 8 months and 21 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court. The charges were framed on 05.07.2025 and out of a total of 23 prosecution witnesses, one has been examined. He submits that in view of the serious allegations against the petitioner, she is not entitled to the concession of regular bail.

5. Heard the rival submissions made by learned counsel for the parties.

6. Admittedly, the charges were framed on 05.07.2025 and out of total 23 prosecution witnesses, only one has been examined till date. The petitioner has undergone actual custody of 8 months and 21 days, and there is no other criminal case registered against her. The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be



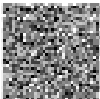
the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in **“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.**

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which she is accused of, or for commission of which she is suspected.
- (v) The petitioner 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 or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would



proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

November 20, 2025
Ithlesh

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