

2025:PHHC:105434



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

SR. NO.212

1. CRM-M-41056-2025
DATE OF DECISION:13.08.2025
SUMAN @ SUMAN SHARMA

...PETITIONER(S)

VERSUS

STATE OF HARYANA

...RESPONDENT(S)

2. CRM-M-42034-2025

MAHENDER SINGH

...PETITIONER(S)

VERSUS

STATE OF HARYANA

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Davinder Kumar, Advocate
for the petitioner in CRM-M-41056-2025.

Mr.Surender Lamba, Advocate
for the petitioner in CRM-M-42034-2025

Mr.Parmod Kumar, AAG, Haryana.

N.S. SHEKHAWAT, J.

1. This order shall dispose of aforementioned two petitions, whereby the petitioners are seeking regular bail in FIR No.102 dated 03.05.2025 registered under Section 108 and 3(5) of BNS 2023 at Police Station Sadar Tauru, District Nuh.

2. Learned counsel appearing on behalf of petitioner-Suman contends that the petitioner is posted as teacher in Government Primary School, Village Khorl Khurd. Jaipal (since deceased) was also posted as a teacher in the same school. The only allegation levelled against the petitioner and other accused in the suicide note is that the petitioner and other accused had told Jaipal that they would send him from this school by making a permanent solution. In fact, the act and conduct of Jaipal (since deceased) was not good in the school and he was not having cordial relations with the school staff. Apart from that, he used to make complaints against the entire school staff to the officers and got published fake news in the newspapers by paying money to the news correspondents. Even the Gram Panchayat of Village Khorl Khurd had made a complaint dated 27.04.2025 (Annexure P-3) to the Deputy Commissioner, Nuh against Jaipal (since deceased). Apart from that, a departmental inquiry was also going on against Jaipal (since deceased) by the Education Department for his misconduct. Still further, learned counsel next contends that Priyanka, daughter of Jaipal (since deceased) was married to Pardeep son of Jagbir. Jaipal and his daughter Priyanka used to harass the husband of Priyanka and his family members. Jaipal (since deceased) also used to threaten in-laws of his daughter and due to his harassment, Jagbir, father-in-law of Priyanka, had committed suicide by hanging himself. In this regard, one FIR No.269 dated 3.11.2022 under Sections 306/34 IPC at Police Station Kosli, District Rewari (Annexure P-4) was ordered to be registered against Jaipal (since deceased). Learned counsel next contends that even from the allegations levelled by the prosecution, no offence under Section 108 of BNS is made out against the petitioner as he had not harassed the deceased nor abetted the

suicide in any manner. The petitioner-Suman was arrested in the present case on 12.05.2025 and is in custody since then.

3. Learned counsel appearing on behalf of petitioner- Mahender Singh has also raised similar arguments. He was also arrested on 12.05.2025 and challan has been presented against him.

4. I have heard the learned counsel for the parties and perused the case file minutely.

5. In the cases in hand, both the petitioners are stated to be in custody for the last more than three months and challan has been presented against both the petitioners. Moreover, the prosecution is yet to lead evidence with regard to ingredients of offence under Section 108 of BNS before the trial Court.

6. Without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

7. A photocopy of this order be placed on the file of connected case.

13.08.2025
mks

(N.S. SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO