



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

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CRM-M-44687-2024 (O&M)

Date of decision : 27.03.2025

Gurmel Singh @ Gurmail Singh and anotherPetitioner

versus

State of Haryana and anotherRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Paramjit Singh Jammu, Advocate for the petitioner.

Ms. Priyanka Sadar, A.A.G., Haryana.

Mr. Santosh Kumar Yadav, Advocate for the complainant.

NAMIT KUMAR, J. (ORAL)**CRM-11153-2025**

Prayer in the instant application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 is for placing on record statement of PW-1 dated 26.07.2018 and judgment dated 26.07.2018 as Annexures P-5 and P-6, respectively.

Allowed as prayed for subject to all just exceptions.

CRM-12686-2025

Prayer in the instant application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 is for placing on record certified copy of deposition of complainant/respondent No.2 and other witness as Annexure P-7.

Allowed as prayed for subject to all just exceptions.

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1. The petitioners have filed the present petition under Section



483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case FIR No.33 dated 02.04.2024 registered under Sections 306 & 34 of Indian Penal Code, 1860 at Police Station Rori, District Sirsa.

2. Brief facts of the case are that the abovesaid FIR was registered on the statement made by complainant-Jaspreet Singh stating that the marriage of his elder sister namely Simranjeet Kaur (now deceased) was solemnized with petitioner No.1-Gurmel Singh @ Gurmail Singh about eight years ago and out of the said wedlock one son namely Diljyot Singh was born out. Petitioner No.1-Gurmel Singh @ Gurmail Singh is addicted to alcohol and he along with his family members used to harass and torture his sister mentally as well as physically. On 31.03.2024 at about 10:00 A.M., his sister consumed some poisonous substance and when he met his sister in the Jindal Hospital, Talwandi Sabo then she told him that after being fed up with the act and conduct of her in-laws, she has consumed some poisonous substance at her in-laws house at village Rohan.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. He submits that the deceased wife of petitioner No.1 was a chronic patient of mental depression and was getting treatment from Dr. Dinesh Gupta of Bharat Hospital, Bathinda and to support the said contention her medical record has been attached as Annexure P-2. He submits that the only son of petitioner No.1 and his deceased wife are living with the grand-parents in the petitioners house. There is no specific instance of any abetment alleged against the petitioners. He submits that petitioners



No.1 & 2 are in custody since 15.04.2024 and 29.06.2024, respectively. He further submits that investigation in the present case is complete; challan has been presented; charges have been framed and out of total 18 prosecution witnesses, only 02 material witnesses including PW1-complainant (brother of the deceased) and PW-2 maternal uncle of the deceased have been examined so far who have not supported the case of the prosecution. He further submits that the trial may take a considerable time to conclude, therefore, no fruitful purpose would be served by detaining the petitioners behind bars.

4. Per contra, learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the prayer for grant of regular bail to the petitioners on the ground that the petitioners alongwith other family members mentally and physically harassed the deceased-Simranjit Kaur due to which she committed suicide. However, she conceded the facts that petitioner No.1 is in custody for the last more than 11 months and petitioner No.2 is in custody for the last more than 08 months; investigation is complete; challan has been presented; charges have been framed and out of total 18 prosecution witnesses, 02 material witnesses including PW1-complainant (brother of the deceased) and PW2-maternal uncle of the deceased have been examined who have not supported the case of the prosecution.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the custody period of the petitioner No.1 i.e. 11 months and 12 days and custody period of petitioner No.2 i.e. 08

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months and 28 days and the facts that investigation in the present case is complete; challan has been presented; charges have been framed; out of total 18 prosecution witnesses, only 02 material witnesses including PW1-complainant (brother of the deceased) and PW2-maternal uncle of the deceased have been examined so far who have not supported the case of the prosecution and the trial may take a considerable time to conclude, therefore, the petitioners are ordered to be released on regular bail during trial on their furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court concerned.

7. The petition stands disposed of accordingly.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

27.03.2025*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No