



CRM-M-49583-2025

-1-

(236)

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

CRM-M-49583-2025

Date of Decision: 10.12.2025

Manveer Sharma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Dr. Rau P. S. Girwar, Advocate and
Ms. Archana Rav, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

Mr. Rishav Jain, Advocate for the complainant.

KIRTI SINGH, J. (ORAL)

1. This is the second petition under Section 483 of BNSS, 2023 has been invoked for grant of regular bail to the petitioner in case FIR No. 197 dated 07.9.2024 under Section 108 of BNS, 2023, registered at Police Station Chhainsa, District Faridabad.

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

“Statement First Information contents: To: Respected Officer-in-Charge, Police Station Chhainsa, Faridabad. That I am xxxx, wife of Late Gopal Sharma, resident of Hodal, 22C Mohalla, District Palwal. My husband was dead in a road accident in year 2005. I have three daughters and my middle daughter, xxx was married to Manveer Kaushik (son of Dataram, resident of Mahmudpur) on 3-6-2015. xxx was subjected to torture by her in-laws, especially Manveer, Dataram, and Dataram's wife xxx. They would call her and her mother (me) to their house under false pretence and harass us. Dataram, in particular, would say that I am not a widow and this as a reason to summon me to his house. This continuous harassment led to the death of my daughter. Xxx in-laws— Manveer Kaushik (S/O Dataram), Dataram (S/O Tarachand), and xxx (wife of



CRM-M-49583-2025

-2-

Dataram)—along with Dataram's brother-in-law, Narottam, forced my daughter to commit suicide. I request that strict action be taken against these individuals. Dated: 7-9-2024 SD xxx (Contact: 9671661651). A police report was filed on the same date, 7-9-2024, by ASI Sandeep, Constable Shashikant 4190/FBD, Constable Praveen 4191/FBD, got information from Mobile No. 7982771919 and other police personnel who reached the scene. Upon arrival at the house of Dataram in Mehmpur village, they found one lady hanging from a rope inside a locked room and described the name of deceased is xxx W/o Manveer, R/o Mehmpur. and family of the xxxx reached on the spot and informed to them and summoned the Crime scene experts for investigate further. Meanwhile, xxx mother, xxxi W/O Gopal Sharma, arrived and filed a formal written complaint alleging that xxxx had been harassed and compelled by her husband and in-laws, leading to her death. The case was registered under sections 103, 61(2), and 3(5) BNS of the law. Further investigation was initiated, and a computerized record of the FIR was prepared under special procedures. The special report was forwarded to senior officials and the area magistrate, as per the legal requirements. The investigation is ongoing under the supervision of ASI Netrapal PS Chhainsa FBD, with updates being communicated to the respective authorities Sd/ ”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner is the husband of the deceased, and has been falsely implicated in this case by the complainant/mother of the deceased, alleging therein that her daughter had committed suicide on the abetment by the petitioner and other accused persons. It is submitted that earlier the present FIR was registered under Sections 103(1), 3(5) and 61 of BNS, 2023. However, during investigation, the names of the other accused persons were deleted, and challan against the present petitioner was filed qua commission of offence under Section 108 of BNS, 2023. It is submitted that there is no material on record to establish the alleged offence against the petitioner. Moreover, there is neither any suicide note or dying declaration of the deceased to implicate the petitioner in the present case. Further, as per the post-mortem report of the deceased, which was conducted after one day of the occurrence, there are no external mark of injuries on her person. There is



CRM-M-49583-2025

-3-

no material on record to substantiate the allegations levelled against the petitioner, which otherwise are also vague. A reference is also made to the judgment of the Supreme Court passed in ***Jayedepsinh Pravinsinh Chavda and others vs. State of Gujarat***, passed in ***SLP(Crl.) No.7957 of 2024***), whereby it was held that in order to bring home charges under Section 306 IPC (108 BNS), there must be intention and active aiding or abetment of the commission of suicide. It is submitted that in the present case, the ingredients of Section 108 BNS are not made out against the petitioner, who has already undergone an actual custody of 01 year, 02 months and 17 days. There is no other case registered against him.

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 01 year, 02 months and 17 days. The learned State counsel, on instructions from the investigating officer concerned, submits that in the present case, charges were framed on 20.3.2025 and out of total 19 prosecution witnesses, 04 have been examined till date. He submits that in view of the serious allegations against the petitioner, he 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 20.3.2025 and out of total 19 prosecution witnesses, only 04 have been examined till date. The petitioner has undergone actual custody of 01 year, 02 months and 17 days,



CRM-M-49583-2025

-4-

and there is no other criminal case registered against him. The veracity of the allegations levelled 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 violative of his rights under Article 21 of the Constitution of India including 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 his 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 he is accused of, or for commission of which he 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 her 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.

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.

10.12.2025
Sima

(KIRTI SINGH)
JUDGE

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