

2025:PHHC:016937



223.

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

CRA-S-3472-2024

Date of decision: 05.02.2025

Gurmeet Singh

.... Appellant

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gopal Singh Nahel, Advocate, for the appellant.

Mr. Amit Rana, Senior DAG, Punjab.

Mr. Chahat Goyal, Advocate, for respondent No.2

MANJARI NEHRU KAUL, J. (ORAL)

Present appeal has been filed against the order dated 09.10.2024 passed by learned Additional Sessions Judge, Sangrur, whereby the appellant herein has been denied the concession of regular bail in case FIR No.116, dated 31.07.2024, registered under Sections 318(4), 61(2), 108 of BNS, 2023 and Section 3 of SC & ST Act, 1989, at Police Station Lehra, District Sangrur.

In compliance of order dated 16.12.2024, the statement of the complainant has been received from the learned trial Court in a sealed envelope. The same is opened in Court and perused.

Learned counsel for the appellant submits that it is a matter of record that the deceased Raj Singh died on account of cardiac arrest. It has

been submitted that even otherwise, a perusal of the allegations levelled in the FIR in question when appreciated in the light of the cause of death do not in any manner attract the mischief of an offence under Section 108 of BNS. Learned counsel further submits that the appellant has now been in custody since 31.07.2024, and after the charges were framed on 19.10.2024, the complainant stands examined. Hence, the appellant be enlarged on bail as there can be no apprehension of his intimidating/ influencing any of the remaining 18 witnesses.

Per contra, learned State counsel, who is assisted by learned counsel for respondent No.2-complainant, has not disputed the custody period of the appellant. He submits that the complainant already stands examined with 18 witnesses remain to be examined; next date fixed before the trial Court is 17.02.2025 when in all likelihood, some of the prosecution witnesses are likely to be examined.

Learned counsel for respondent No.2-complainant while opposing the prayer and submissions made by learned counsel for the appellant, submits that although the deceased died of cardiac arrest, however, he suffered cardiac arrest on account of continuous mental harassment given by the appellant, who had cheated him an amount of Rs.24.50 lakhs. Hence, it amounted to abetment to suicide.

After hearing the parties and considering the submissions and material on record, this Court, without commenting on the merits of the case, deems it fit to admit the appellant to bail. The appellant has been in

custody since 31.07.2024 and only 01 out of 19 prosecution witnesses has been examined to-date. There is no likelihood of the trial concluding in the near future.

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the appellant.

Accordingly, the instant appeal is allowed and the appellant be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 05, 2025
sanjeev

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