



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

217

CRM-M-55685-2024

Date of decision: 01.09.2025

Manjit Singh @ Saini

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
assisted by ASI Narender Pal Singh.

Mr. Nitin Sharma, Advocate for
Mr. B.S. Jaswal, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the BNSS, 2023, in case FIR No.208 dated 05.12.2023 under Sections 302/120-B/34 of the IPC registered at Police Station Kamboj, Amritsar.

2. Status report by way of affidavit of Lakhwinder Singh, PPS, Deputy Superintendent of Police, Sub-Division Attari, Amritsar (Rural), on behalf of the respondent-State, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned counsel for the petitioner submits that the instant case is based on circumstantial evidence and the motive attributed to



the petitioner and co-accused Paramjit Kaur (second wife of deceased Bhag Singh), was an alleged illicit relationship between the latter with the petitioner. Learned counsel has argued that as per the allegations levelled in the FIR, co-accused Paramjit Kaur along with the petitioner administered juice laced with poison as a result of which the deceased died. Learned counsel has argued that the case of the prosecution stands demolished from the medical evidence on record including the post-mortem report as well as the FSL report wherein totally contrary findings had been recorded by both the doctor as well as the chemical examiner. Learned counsel has, therefore, submitted that in the circumstances moreso when there were categorical findings of the doctor who conducted the post-mortem on the deceased that his death was a result of cardiac respiratory failure, the case of the prosecution fell flat on the face.

4. It has been further submitted that after the petitioner was arrested on 31.12.2023, charges were framed on 04.04.2025, however, till date none of the 25 prosecution witnesses had been examined, therefore, in the aforementioned facts and circumstances and there being no corroborative evidence to link the petitioner with the death of the deceased, he deserves the concession of bail.

5. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite and reiterated the allegations levelled in the FIR, annexed as Annexure P-1, which stands reproduced hereunder:-



“Supplementary statement of Narinder Singh son of Bhag Singh Colony, resident of Sharma on NoshehraKhurd, Police Station Kamboj, aged about 30 years, Mobile No. 7743020731. Stated that I am resident of above mentioned address and do the work of delivery of medicines. My father Bhag Singh son of Shingara Singh, retired from the Punjab Police Department as an Inspector. My mother Balwinder Kaur has died 07.12.2002 and after death of my mother, my father Bhag Singh got married to Paramjeet Kaur in the year 2007. After marriage, my father Bhag Singh started living with his second wife Paramjit Kaur in our house in Sharma Colony NausheraKhurd. My father Bhag Singh and Paramjit Kaur started living in the upper portion of the house and we all family members started living in the lower portion. Paramjit Kaur started fighting with us by making my father follow her. Due to which we did not talk to each other and my father had become very old now. Paramjit Kaur used to harass him a lot and my father used to remain worried. On 2-12-2023, my father told kill me. me that Paramjit Kaur wants to Because Paramjit Kaur has kept Mahi daughter of Manjit Singh Saini son of Balbir Singh, resident of RasulpurkalarPhatak, Amritsar, with her. They harass me. Save me from them. I did not take his words too seriously and I went to work with my wife Kulwinder Kaur and on the same day at around 2 PM, my neighbour told me on the phone that your father is not well, you come home. So I came home and I came home and saw that my father had died, Just as my father had told me, Paramjit Kaur has done the same. Paramjit Kaur has an illicit relationship with Manjit Singh Saini, due to which Paramjit Kaur has given a room to Manjit Singh Saini in our house for one year to make an office and Manjit Singh Saini comes to our house a lot and in May, June 2023, Manjit Singh Saini stayed in our house continuously with my father and Paramjit Kaur, but later Paramjit Kaur kept Manjit Singh Saini's daughter Mahi with her to make her legal heir and Manjit Singh Saini is now staying continuously in our house. We have come to know that Paramjit Kaur had got married to Manjit Singh Saini a long time ago, about 2 months ago. Now I and my family are sure that Paramjit Kaur and Manjit Singh Saini and Manjit Singh Saini's daughter Mahi in connivance with each other, in order to kill my father Bhag Singh and usurp the property, they have killed my father by giving him some poisonous substance. Legal action should be taken against them under appropriate sections.”



6. Learned counsel for State as well as learned counsel for the complainant, on being pointedly asked, have not disputed that other than the allegations levelled in the FIR in question, no incriminating evidence much less any recovery had been effected from the place of occurrence.

7. Learned State counsel has rather conceded that even as per the status report filed, doctor had opined the cause of death as follows:-

“After going through the gross findings of PMR, Chemical Examiner Report vide No. 350 dated 25.01.2024 and histopathology report No. 3957 23 dated 03.12.2023. The board is of the opinion that final cause of death in this case is cardiorespiratory failure as a result of cardiomyopathy which is sufficient to cause death in ordinary course of nature.”

8. On further instructions, learned State counsel has not disputed that even as per the viscera report, no poison was detected by the FSL. Learned State counsel, on further instructions, has not disputed the stage of trial nor has he disputed the date of arrest of the petitioner.

9. I have heard learned counsel for the parties and perused the material placed on record.

10. The petitioner has been in custody since 31.12.2023. *Prima facie*, at this stage, learned State counsel as well as the counsel for the complainant was unable to bring to the notice of this Court any corroborative medical or forensic evidence which would corroborate the allegations levelled in the FIR. There is no possibility of the trial concluding in the near future as none of the 25 prosecution witnesses



CRM-M-55685-2024

-5-

have been examined so far. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

11. Accordingly, the instant petition is allowed. The petitioner 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.

12. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

01.09.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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