

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:178359



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CRM-M-59520-2025 (O&M)
Date of decision:23.12.2025

Gagandeep Singh @ Gaggi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Atul Goyal, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Surinder Singh, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking benefit of regular bail in case arising out of FIR No.305, dated 10.10.2024, registered under Section 108 of the BNS (offences punishable under Sections 103 and 238 of the BNS were added and Section 108 of the BNS was deleted lateron), at Police Station Division No.7, District Police Commissionerate Ludhiana.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant – Shakuntla Devi, alleging that her daughter Reena had performed love marriage with the petitioner. She was having two daughters. The family of the complainant had severed relations with Reena and hence she never visited her parental home. The complainant had however come to know that quarrels used to take place between Reena and her husband. In the morning of 10.10.2024, the complainant received a call

from her daughter, Meena, who informed that Bani daughter of the complainant had called her last night and had informed that an altercation had taken place between Reena and her husband. The latter had extended beatings to Reena. She had fainted and froth also came out of her mouth and then she also gave information that Reena had expired. On receipt of the same, the complainant prayed for taking penal action against the petitioner. The aforementioned FIR was accordingly registered. Investigation proceedings were initiated. Post mortem examination of dead body of victim was conducted. The petitioner was arrested on 10.10.2024. He suffered disclosure statement admitting that he had extended beatings to the victim with a belt during a quarrel, due to which she had become unconscious. Instead of providing proper help, he had tried to give medicine to her and then took her to the hospital wherein she was declared to be dead. The investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is no eye witnessed account of the version as leveled against him. The case is based on hearsay evidence. Neither the complainant nor her daughter Meena was present at the time of occurrence. The complainant had motive to implicate the petitioner falsely in this case as the terms between them were not good. In fact, the victim sustained injuries by falling from a stool while she was hanging clothes on a wire. She had fainted. Her neck got stuck in the rope. Her head was hit with the wall. Her death occurred due to sustaining injuries, as a result of falling down and not on account of any injury sustained at the hands of the petitioner. He was not even present at his house when the victim had been

injured. He is in custody since long. The complainant and her son have been examined. Their statements are totally hearsay in nature. The material witnesses, namely, Bani and Shama Rani i.e. the daughter of the victim as well as himself and mother of the petitioner have been given up by the Public Prosecutor. There is no material on record to connect him with the crime. His further detention would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Status report has been filed. Learned State counsel assisted by learned counsel for the complainant has argued that the allegations against the petitioner are serious in nature. He had beaten up the victim ,who was his wife with a belt on the fateful night and she had sustained head injury apart from other injuries and had succumbed to the same. The petitioner has not been able to explain those injuries in a satisfactory manner. The allegations against him are serious in nature. The trial is going at a proper pace. There are chances of petitioner's absconding or intimidating the witnesses, if extended benefit of bail. It is, hence, argued that the petition does not deserves to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. As per the allegations, Bani daughter of the victim had informed Meena daughter of the complainant about a quarrel having been taken place the victim and the petitioner on the night of occurrence and the victim having been beaten by the petitioner. Learned counsel for the petitioner has placed on record a copy of order dated 25.08.2025 passed by the trial Court showing that the above said Bani and two other witnesses

have been given up by the Public Prosecutor without prejudice to the right of the prosecution to examine them as and when required. It appears to be quite strange as Bani was supposedly a material witness to the case. It is not that she has been given up as having been won over by the petitioner. However, despite that, position which emerges is that the victim had died at her matrimonial house due to sustaining injuries, her death cannot be considered to be suicidal in nature and prima facie appears to be homicidal. The petitioner being husband of the victim was expected to explain the manner as to how she had sustained these injuries. The plea as taken in this petition to the effect that the victim had fallen down from a stool, her neck got stuck in a rope and her head was hit against the wall, does not appear to be plausible. There are serious allegations against the petitioner. There is no material on record to suggest any undue delay in conclusion of trial. Taking into consideration the gravity of the allegations as leveled against the petitioner, the quantum of sentence which conviction may entail and the attendant facts and circumstances, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

23.12.2025

harjeet

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No

(MANISHA BATRA)
JUDGE