



CRM-M-62918-2024

1

209

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

CRM-M-62918-2024

Date of decision: 20.03.2025

SUKHMANDER SINGH @ AJAY

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MRS. JUSTICE **AMARJOT BHATTI**

Present: Mr. Abhaysher Singh, Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

AMARJOT BHATTI, J.

Petitioner has filed the present petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.80, dated 29.08.2024, under Section 103(1) of BNS (lateron added Section 108 BNS of 2023 and deleted Section 103(1) of BNS vide GD No.9 dated 11.11.2024) registered at Police Station Sadar Jalalabad, District Fazilka (Annexure P-1).

2. As per facts of the case, complainant Jaswant Singh gave his statement that marriage of his elder daughter namely Amanjot Kaur was solemnized with Balwinder Singh about 4 years ago. Out of this wedlock, she had a son Gurbaj Singh age about 1 and half years. On 20.08.2024, his daughter Amanjot Kaur and son-in-law Balwinder Singh visited their village Dhandi Khurd. Balwinder Singh son-in-law went back whereas his daughter stayed in the house. At night time around 8.00 p.m., Amanjot Kaur left the house without informing anybody by leaving her son at home. They started searching for her but she was not traceable. His son-in-



law Balwinder Singh informed that Amanjot Kaur was taken away by Sukhmander Singh @ Ajay resident of Kathgarh. His son-in-law further received a phone call from Sarpanch Harmesh Singh that Amanjot Kaur and Sukhmander Singh @ Ajay have consumed some poisonous medicine and were admitted in Civil Hospital, Bathinda. On 28.08.2024 at about 8.00 a.m, Sarpanch Harmesh Singh informed that Amanjot Kaur expired and her body is taken away by Soma Rani, Laxmi and Avtar Singh family members from the side of Sukhmander Singh @ Ajay. Thereafter, the matter was reported to the police on the basis of which present FIR has been registered.

3. Learned counsel for the petitioner argued that all allegations levelled against them are false. Other family members involved in this case were found innocent vide GD No.09 dated 11.11.2024 (Annexure P-2). Present petitioner had love affair with Amanjot Kaur and they had gone to Delhi. While they were returning back to Bathinda, both of them had consumed some tablets, as a result they felt uneasy. An auto rickshaw driver brought them to Civil Hospital Bathinda where unfortunately Amanjot Kaur expired. Statement of Amanjot Kaur was also recorded by the police. Translated copy of the same bearing No. GD No.29 dated 27.08.2024 is Annexure P-4. Even, petitioner remained hospitalized, treatment record of Sukhmander Singh is Annexure P-5. In fact, she was being harassed by her parental and in-laws family. Petitioner is ready and willing to join the investigation as and when required. It is submitted that his anticipatory bail application may be allowed.

4. Bail application is opposed by learned counsel representing State. However, the aforesaid factual position is not disputed. Statements



of petitioner as well as Amanjot Kaur were recorded where they claimed that by mistake they consumed some medicine and they started feeling uneasy and went to Civil Hospital Bathinda. It is also confirmed that other members were found to be innocent. It is pointed that custodial interrogation of the present petitioner is required for proper investigation of the case.

5. I have considered the arguments and have through the record. The facts of the case indicates that present petitioner as well as Amanjot Kaur both consumed poisonous material, as a result Amanjot Kaur died on 28.08.2024 whereas present petitioner also remained under treatment but he survived. The deceased victim was a married lady and mother of a small child. She left the house without telling anybody by leaving the child at home and thereafter information was received that Amanjot Kaur as well as present petitioner were admitted in Civil Hospital Bathinda. Status report indicates that he joined investigation on 27.08.2024 and in that course he claimed that he was in live-in-relationship with Amanjot Kaur for the last about 2 years. Petitioner is still ready and willing to join investigation as and when required. Considering the facts and circumstances of the case, no purpose would be served by sending the petitioner behind the bars. Statement of deceased victim was also recorded by the police while she was admitted in the hospital.

6. Considering the aforesaid factual position, anticipatory bail petition filed by petitioner – Sukhmander Singh @ Ajay is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper



with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

20.03.2025
monika

- | | | |
|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |