

2025:PHHC:101135



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

Sr. No.222

**CRM-M-64275-2024 (O&M)  
Date of decision : 6.8.2025**

Maninder Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Parminder Singh Sekhon, Advocate, for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

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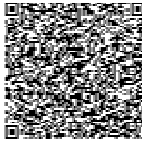
**KIRTI SINGH, J. (Oral)**

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in case FIR No.185 dated 14.9.2023 under Sections 304-B and 34 IPC, registered at Police Station Sidhwan Bet District Ludhiana (Rural).

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

*“Statement of Shinderpal Singh aged about 45-46 years Slo Pakhar Singh Rio Village Gorsia Khan Mohhamad, Gorsia Khan Mohhamad Sidhwan Bet, Ludhiana Rural, Mobile No. 9781392652 stated that I am the resident of above stated address and do labour. I am married and out of the wedlock I have two children. Out of which the elder one is girl namely xxx and the younger one is boy namely Rajwinder Singh. I solemnized the marriage of my elder daughter xxx aged about 24 years about 3 years ago from now with Maninder Singh S/o Diwan Singh resident of Baghian Khurd, Police Station Sidhwan Bet, District Ludhiana Rural as per religious ceremonies and as per my capacity. No child was born out of the said wedlock of my daughter xxx.. The in-law family of my*

2025:PHHC:101135



*daughter started teasing and also started harassing my daughter on account of demand of dowry. Then my daughter xxx told me in this regard. On this I alongwith respectable of the village reached the in-laws village of my daughter Baghian Khurd, whereby the counseling of both the parties was done, but inspite of counseling, my son-in-law Maninder Singh and the father-in-law of my daughter namely Diwan Singh again started demanding dowry and started harassing. Thereafter, we also made complaints at Women Police Station Jagraon. We always came present at Women Police Station, but the in-laws family of my daughter did not come present. After our daughter was harassed by the in-laws, we brought our daughter to our house about two years back. Thereafter, my son-in-law Maninder Singh started threatening my daughter on telephone by saying that he will not keep her in his house and he will also not give divorce to her and will ruin her life and further said that you can do whatever you can. My daughter xxx has been harassed by my son-in-law Maninder Singh and father-in-law Diwan Singh on account of bringing less dowry and for not bearing child. Now on 12.09.2023 my son-in-law Maninder Singh insulted me on my mobile phone No. 9781392652 and also abused me. On hearing the same, my daughter xxx came near to me and stood over there and told me to make her speak and further took phone from me and started talking. My son-in-law Maninder Singh started saying bad words to my daughter xxx and thereafter my daughter started weeping and got emotional and further switch off the phone. This all has been told to me by my daughter. On 13.09.2023 at about 7:30 PM my daughter went for bath and after sometime she called upon her mother and told her that she is not able to walk. On this my wife took her into her arms and I arranged for a vehicle and reached town Hambra, whereby doctor referred her to DMC Hospital, Ludhiana. Then I took my daughter to DMC Hospital,*

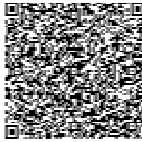
2025:PHHC:101135



*Ludhiana, whereby my daughter was undergoing treatment and died on-13.09.2023 at about 11:00 PM. My daughter has died on account of being demand of dowry and harassment on phone by my son-in-law and father in law. So action be taken against above stated persons. My statement has been recorded and it is read over to me. Sd/- “*

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case on the statement of the father of the deceased, and that no offence under Section 304-B IPC is made out against him. It is an admitted fact that the deceased was residing at her parental home for two years prior to her death, where she unfortunately passed away. It is further submitted that previously, an application was also moved by the complainant side against the petitioner and his family members, wherein upon due inquiry it was found that no case of dowry was made out. It was also recorded therein that as per the investigation the wife of the petitioner was not willing to live with him, and wanted to obtain divorce. Reliance in this regard is placed upon the inquiry report dated 11.7.2023 (Annexure P4). Subsequently, the matter was compromised and reduced to writing on 28.8.2023 (Annexure P5). It is further submitted that similarly situated co-accused has already been granted the concession of regular bail vide order dated 3.9.2024 passed by this Court in CRM-M-35537-2024 titled as Diwan Singh Vs. State of Punjab. Learned counsel submits that the petitioner, a young man of 25 years, has already undergone an actual custody of 01 year and 05 days and is not involved in any other criminal case.

2025:PHHC:101135

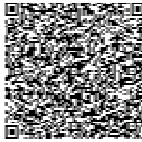


4. *Per contra*, learned State counsel has filed status report in Court. The same is taken on record. She vehemently opposed the submissions made by the learned counsel for the petitioner. She states that the petitioner was actively involved in the commission of the offence. She has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 01 year and 05 days and there is no other criminal case registered against him. She on instructions from ASI-Rajvarinderpal Singh submits that charges were framed on 4.3.2025 and out of a total of 14 prosecution witnesses, 01 has been examined till date. She submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail. On a pointed query put to her in that regard, it is not disputed that the deceased died in her parental home.

5. Heard the rival submissions made by learned counsel for the parties.

6. On a perusal of the case in hand, it transpires that the petitioner is behind the bar since 31.07.2024. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not made much progress as out of 14 prosecution witnesses, only 01 witness has been examined so far. The deceased died at her parental home, where she had purportedly been residing for about two years prior to her death. Father of the petitioner granted the concession of regular bail vide order dated 3.9.2024 passed by this Court in CRM-M-35537-2024 titled as Diwan Singh Vs. State of Punjab. The culpability, if any, would be determined at the time of trial. No useful purpose shall be

2025.PHHC:101135



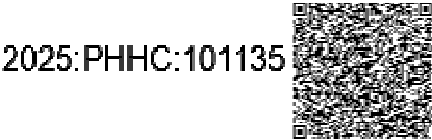
served by further detention of the accused/petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the 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(s) will not tamper with the evidence during the trial.
- (II) The petitioner(s) will not pressurize/intimidate the prosecution witness(s).
- (III) The petitioner(s) will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (IV) The petitioner(s) 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(s) 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 him 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.

9. However, nothing stated above shall be construed as a final 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.

Pending miscellaneous application(s), if any, also stands disposed of.

**(KIRTI SINGH)**  
**JUDGE**

**6.8.2025**  
Ramandeep Singh  
Whether speaking / reasoned  
Whether Reportable

Yes/No  
Yes/No