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

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**CRM-M-63667-2025
Date of decision: 02.12.2025**

DHARMINDER SINGH**....Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Mr. Rhythem Bajaj, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This is first petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.89 dated 03.09.2024 registered under Sections 103(1), 238, 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 at Police Station Kabarwala, District Sri Muktsar Sahib.

2. The present case was registered on the basis of statement given to the Police by Harmandeep Kaur resident of Rania, District Sirsa with the allegations that she was married with Sukhdev Singh and two children, namely, Mandeep (daughter) and Shinderpal Singh (son) were born out of the wedlock but thereafter, she divorced Sukhdev Singh after seven years of marriage and she took both the children to her parental village. Thereafter, she was married to one Chanan Singh. She performed marriage of her daughter- Mandeep on 20.12.2013 and that of son with Mamta in the year 2018. After marriage, her son Shinderpal Singh started residing with his father Sukhdev Singh. Thereafter, he came from his father's village and started living in village Burj Sidhwan, where she used to come



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and meet him quite often. His son informed her that his wife Mamta is having illicit relationship with one Dharminder Singh (petitioner) and she tried to counsel her but she used to argue with her. On 31.08.2024, the complainant came to village Burj Sidhwan to pick her grandson at about 11:30 PM. She came from his sister's house to the house of her son and when she entered the home, she saw that Dharminder Singh (petitioner) had put a noose with the scarf (chunni) around her son's neck and hanged him. Her daughter-in-law Mamta and Varinder Singh were holding his hands and her son had died. When she tried to turn back, her daughter-in-law caught hold of her from behind and Dharminder (petitioner) and Varinder threatened to kill her grand-son in case she reported the incident to anyone. She sought action against them. The matter was investigated. Accused were arrested. Final report was presented after completion of the investigation.

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

4. Learned counsel for the petitioner contended that complainant – Harmandeep Kaur has been examined during the trial as PW2 and she has stated that her son had died due to overdose of drugs and he was not murdered by the accused, namely, Mamta, Dharminder (petitioner) and Varinder and she has not supported the prosecution case. Another witness has also been examined namely PW3 – Jasvir Kaur and she too has not supported the prosecution case and has not uttered anything incriminating against the accused. No other material witness remains to be examined and prosecution case is not likely to improve. Co-accused namely Varinder Singh has already been released on bail by this Court vide order dated 04.11.2025, passed in CRM-M-60216-2025 (Annexure P-4) and

petitioner too is entitled to be released on bail on the ground of parity. Petitioner is in custody since 04.09.2024. The trial will take some more time to conclude and further detention of the petitioner is thus not required and he may be released on bail.

5. Learned State Counsel has opposed the grant of bail and argued that the petitioner has committed a heinous crime and in view of the gravity of the offence, petitioner does not deserve concession of bail.

6. The material witnesses i.e. PW2 and PW3 have turned hostile and they have not uttered anything incriminating against the accused out of whom PW2 was allegedly an eye witness. No other material witness remains to be examined and prosecution case is thus not likely to improve. Co-accused namely Varinder Singh has already been released on bail by this Court vide order dated 04.11.2025, passed in CRM-M-60216-2025 (Annexure P-4) and petitioner too is entitled to be released on bail on the ground of parity. Petitioner is in custody since 04.09.2024. Trial will take some more time to conclude and no useful purpose will be served by detaining the petitioner in custody.

7. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

02.12.2025
amandeep

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No