



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

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CRM-M No.68499 of 2025

Date of decision : 10.12.2025

Date of uploading : 10.12.2025

Jashanpreet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Yagsimant Attri, Advocate, for the petitioner

Mr. Hemant Aggarwal, AAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.115 dated 7.10.2025 under Sections 108 and 3(5) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Bareta, District Mansa.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Gurjant Singh son of Sita Singh son of Jadi Singh, resident of Village Balran, District Sangrur, aged approximately 45 years, who states that he resides at the aforementioned address and works as an agricultural laborer. My wife's name is Sarabjit Kaur, who is a housewife. I have two children. My elder daughter's name is Harjit Kaur, who is married to Chuhar Singh, a resident of Nar Khokhar. My younger son's name was Manjot Singh, whose age approximately 19 years, who was



unmarried and worked in agriculture. My son Manjot Singh, approximately six months prior, had gone with his friends to Village Kakrala, District Patiala, where he entered into a relationship with Jashanpreet Kaur wife of Gurpreet Singh son of Dalbara Singh, a resident of Kakrala. Jashanpreet was already separated from her husband and had two children. Subsequent to that, Jashanpreet Kaur came with my son Manjot Singh and started residing at our house in Village Balran, District Sangrur, where she lived for approximately one and a half months. Thereafter, Jashanpreet Kaur took my son Manjot Singh with her and came to Jakhal, where they began residing in a two-room rented accommodation and started working in a factory. Subsequently, Jashanpreet Kaur commenced a relationship in Jakhal itself with a male named Dala son of Amrik Khan, a resident of Village Shekhupur Khudal. Approximately 15 days prior to this, she left my son at Jakhal and went to reside with Dala son of Amrik Khan son of Umardin, a resident of Shekhupur Khudal, at his residence in Village Shekhupur Khudal, District Mansa. My son returned and started residing with me at Village Balran. My son Manjot Singh started living in a state of depression. When he narrated this entire matter to me, I counseled him that everything would be well. She was not answering my son's repeated telephone calls, due to which my son Manjot Singh was greatly distraught. On October 4, 2025, when I, my son Manjot Singh, my wife Sarabjit Kaur, and my daughter Harjit Kaur were present at our house in Village Balran, my son Manjot Singh received a telephone call from Jashanpreet Kaur, who asked my son to come to Village Shekhupur Khudal to meet her. My son proceeded to Village Shekhupur Khudal to meet her. Thereafter, Jashanpreet Kaur engaged in a quarrel and dispute with my son Manjot Singh and stated, "Why are you harassing me by calling? I no longer wish to reside with you." Subsequently, Dala son of Amrik Khan son of Umardin, resident of Shekhupur Khudal, also severely assaulted my son Manjot Singh in Village Shekhupur Khudal. Dala son of Amrik Khan and Jashanpreet Kaur issued threats to kill him and stated, "We summoned you here only to teach you a lesson. Subsequent to this, my son, unable to tolerate the humiliation, consumed poisonous spray in front of the house of Dala son of Amrik Khan in Village Shekhupur Khudal. Thereafter, Jashanpreet Kaur called my daughter Harjit Kaur's father-in-law on his phone and informed him that "Your son Manjot Singh has consumed spray in front of



our house, you may come and take him away." Subsequent to that, my daughter narrated the entire matter to me, whereupon I telephoned Gurvinder Singh son of Bhola Singh, a resident of Balran, who was at his maternal grandparents' house in Village Shekhupur Khudal, and narrated the entire matter to him. I instructed him to attend to my son, as we were arriving. Thereafter, I, my wife Sarabjit Kaur, my daughter Harjit Kaur, and our Khudal at neighbor Jasvir Kaur wife of Jatta Singh, a resident of Balran, went to Village Shekhupura approximately 9:30 P.M. We then arranged transport and took my son Manjot Singh to a private hospital in Jakhal. Due to the critical condition of my son, we subsequently transported him to Vinayak Hospital, Sunam, on October 6, 2025. My son expired today during the course of his treatment. My son Manjot Singh ended his life due to harassment and distress caused by Dala son of Amrik Khan son of Umardin, a resident of Shekhupur Khudal, and Jashanpreet Kaur, a resident of Shekhupur Khudal. It is requested that appropriate strict legal action be taken against these two individuals. The statement has been dictated to you, read, and understood. It is correct. LTI of Gurjant Singh aforementioned.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 8.10.2025. Learned counsel has further submitted that, assuming *arguendo*, the prosecution version is taken to be correct, the petitioner (herein) and the deceased were earlier having an affair and later on there was a break-up and the petitioner married another person. Learned counsel has further submitted that the death of the deceased cannot be ascribed, in a culpable manner to the petitioner. In this regard, learned counsel has relied upon the *dicta* of the judgment of the Hon'ble Supreme Court in ***Mohit Singhal & Anr. Vs. The CRM-M-State of Uttarkhand & Ors., (Neutral Citation No.2023 INSC1035)*** relevant whereof reads as under:

"9. In the facts of the case, secondly and thirdly in Section 107, will have no application. Hence, the question is whether the appellants instigated



the deceased to commit suicide. To attract the first clause, there must be instigation in some form on the part of the accused to cause the deceased to commit suicide. Hence, the accused must have mens rea to instigate the deceased to commit suicide. The act of instigation must be of such intensity that it is intended to push the deceased to such a position under which he or she has no choice but to commit suicide. Such instigation must be in close proximity to the act of committing suicide.

10. In the present case, taking the complaint of the third respondent and the contents of the suicide note as correct, it is impossible to conclude that the appellants instigated the deceased to commit suicide by demanding the payment of the amount borrowed by the third respondent from her husband by using abusive language and by assaulting him by a belt for that purpose. The said incident allegedly happened more than two weeks before the date of suicide. There is no allegation that any act was done by the appellants in the close proximity to the date of suicide. By no stretch of the imagination, the alleged acts of the appellants can amount to instigation to commit suicide.....'

Learned counsel has further submitted that the petitioner is a young lady aged 23 years with no criminal antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 9.12.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 8.10.2025 wherein after investigation was carried out and challan stands presented on 5.12.2025.

Total 27 prosecution witnesses have been cited, but none has been examined till date. Culmination of trial, but of course, will take long.

The rival contention; including as to whether offence under Section 108 of BNS (erstwhile Section 306 of IPC) is made out or not; shall be gone

into during the course of trial. This Court does not deem it appropriate to



delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 9.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 2 months & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent herself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit her passport, if any, with the trial Court.
- (vi) The petitioner shall give her cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change her cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those



which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

10.12.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No