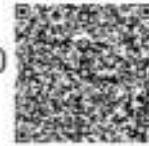


IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:054660



209

CRM-M-7315 of 2026 (O&M)

Reserved on: 06.04.2026

Pronounced on:09.04.2026

Uploaded on:09.04.2026

Kamal

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

SHALINI SINGH NAGPAL, J.

Petitioner seeks regular bail in case vide FIR No. 179 dated 29.09.2025 under Section 108 of Bhartiya Nyaya Sanhita (BNS) 2023 (erstwhile 306 IPC), Police Station Sadar, District Hoshiarpur. This is the first petition for regular bail.

The case was registered on complaint of Jaswinder Kaur, who stated that her husband Jaswinder Singh was in Dubai. She had two children, her daughter Jaskaran Kaur was married six years ago with Kamal and had a son Kartik aged 4 years. Sometime after the marriage, her son-in-law started harassing her daughter and often thrashed her. He sent her out of the house. Many a times, Panchayats of both villages were convened. At that time her daughter expressed apprehension that if she stayed on, she could be killed. Yet, for the sake of settling her, they persuaded her and sent her back to the in-laws house. Her son-in-law did not desist from his acts. 10-11 days ago,

he thrashed Jaskaran regarding which she informed her on phone. Then she along with his sister Rekha, came to the house of her daughter, who asked her to take her back, but on the asking of her son-in-law and his in-law's family, she left her there. That day also, her daughter informed that her father-in-law Rakesh abused and harassed her. The day before, 28.09.2025, at about 8:30 p.m. Jaskaran Kaur's sister-in-law Neha telephonically informed that Jaskaran had consumed some poisonous substance and was admitted in Livasa Hospital, Hoshiarpur. She reached the hospital where her daughter told that her husband, father-in-law Rakesh harassed her very much which she could not tolerate and fed up with them, she had consumed poison. Early morning during treatment, her daughter died by consuming some poisonous substance, fed up with the atrocities of her husband and father-in-law Rakesh Kumar,.

Learned counsel for the petitioner submits that the allegations in the FIR were highly exaggerated. Petitioner had no role in the death of his wife, who was maintaining illicit relationship with another man on which account she used to quarrel with the petitioner and threatened him with false implication. Even in the suicide note left by the deceased, no allegation was levelled against the petitioner. Investigation in the case was complete, challan had been presented and trial would take some time to conclude. Allegation in the FIR even if accepted at their face value even did not disclose the essential ingredients of the offence under Section 108 of BNSS as no positive act of instigation, abetment was attributed to the petitioner. Vague and general allegations of harassment did not constitute the offence under Section 108 BNSS. The petitioner, who was in custody w.e.f. 30.09.2025, thus, deserved to be released on bail.

Learned State counsel has filed status report and has opposed the prayer for regular bail. He submits that deceased consumed poison on account of the harassment by petitioner and co-accused Rakesh Kumar. Allegations against the petitioner were serious and petitioner was not entitled to concession of bail.

Whether the general allegations of harassment of the deceased by the petitioner would amount to abetment of suicide and attract culpability of offence under Section 108 BNSS would be moot point during the trial. Whether petitioner indeed misused the requisite *mens-rea* to abet suicide of the deceased can only be determined during the course of trial on the basis of evidence led. Petitioner is in custody for the last more than six months. His antecedents are clean. He is not stated to be involved in any other offence. He has roots in society and there is no reason to believe that he would evade the process of law or flee from justice. In the facts and circumstances of the case, but without commenting on merits, petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

09.04.2026

reema

Whether speaking/reasoned : Yes

Whether reportable : No