



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

204

CRM-M-9553-2026.

Date of Decision: 01.04.2026.

Kuldeep Singh

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

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

Mr. Vinay Malhotra, Deputy Advocate General, Punjab.

Mr. Harjeet Singh Bandrania, Advocate for the complainant.

SANJAY VASHISTH, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. seeking regular bail to the petitioner in case FIR No.223 dated 15.11.2025 under Section 108 of BNS, registered at Police Station Sardulgarh, District Mansa.

2. The case of the prosecution is reproduced hereunder:-

“FIR was registered on the statement of complainant-Sarabvir Singh, son of Jangir Singh. In his statement, he has stated that he is working as a Conductor at Jhunir Bus. They are 4 brothers and sisters. He along with his brother Kuldeep Singh and sister Randeep Kaur are married and younger sister Lakhdeep Kaur is bachelor. His younger brother Kuldeep Singh was residing separately from them along with his family. His father and sister were residing with him. They are having about 5 acres of land and out of which, 2 acre 1 Kanal is in his name, 2 acre 1 Kanal is in the name of his younger brother Kuldeep Singh and 1 acre of land was in the name of his father. His brother

Kuldeep Singh is doing agriculture work in his land. He along with his father give 1.5 acre of land on lease and remaining land is cultivated by him. His brother Kuldeep Singh was demanding 3 Kanals of land from his father and on this account, he was quarrelling with his father for the last more than 4-5 years. Due to which, many times Panchayats were convened and matter was compromised. Even despite compromise, his brother used to quarrel with his father for getting this 3 Kanals of land. Due to which, they moved applications and even one case in the Court is pending between them. In front of his house, in about one acre of land, he had sown paddy and his brother Kuldeep Singh used to restrain him from harvesting the same and due to which, his father used to be remained under tension. Even Panchayat was convened regarding the same. On 14.11.2025, at about 7:30 p.m., his father came to him and started crying that even Panchayat has refused to intervene as Kuldeep Singh is not shifting from his stand. Thereafter, he pacified his father and he went to sleep. On 15.11.2025, at about 5:30 a.m., his aunt Krishna Rani wife of Mangal Singh came to his house and disclosed that his father Jangir Singh is lying in the verandah of the house of his brother Kuldeep Singh. He immediately went to the said place where his father was lying and froth was coming out of his mouth. He and his uncle Kulwant Singh after arranging a vehicle took his father to Civil Hospital, Sardulgarh, where his father was declared dead. His father has committed suicide by consuming some poisonous substance being fed up or under tension due to act and conduct of his brother Kuldeep Singh. On the basis of this statement, the present FIR under Section 108 of BNS was registered against the petitioner.”

3. Broadly speaking allegations seems to be that petitioner- Kuldeep Singh, used to demand 3 kanals of land from his father for which he had been pressurizing the old man for the last several years. By

getting fed up with the unusual behavior by the son, Jangir Singh committed suicide.

4. Counsel for the petitioner, argues that in every family there would be disputes regarding the share in land and the issue of raising some claim as in the present case also, would not be enough to constitute the offence of Section 108 of BNS, because no direct or indirect abetment/instigation was caused to the deceased by the petitioner. It was mental state of Jangir Singh (deceased), who being father of petitioner-accused got fed up with the circumstances and instead of resorting to some other method ended his life himself. Moreover, petitioner is inside jail for a period of approximately 04 months (since 26.11.2026), thus prays for grant of bail.

5. On the other hand, learned State counsel argues that the offence committed by petitioner is very serious in nature and no leniency is required in such like matters, rather by declining bail, message should reach to the society in common, to not to upset the elders rather to keep and maintain due care of them.

6. I have considered the submissions addressed by learned counsel for the parties.

7. The petitioner is already inside the jail for the period of last 04 months and 04 days. Unfortunately, father of the petitioner committed suicide. However, the issue whether any abetment was caused by the petitioner or not would be a matter of consideration, which is to be adjudicated by the trial Court. Thus, considering the circumstances in totality, present petition is **allowed**. The petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned

trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

9. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

(SANJAY VASHISTH)
JUDGE

01.04.2026
jitender

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