

2026 PHHC 076972



201-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12477 of 2026 (O&M)

Date of Decision: 14.05.2026

Kuldeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM:- HON'BLE MS. JUSTICE NEERJA K. KALSON

Present: Mr. Sunny Saggar, Advocate
for the petitioner.

Mr. Gaurav Kathuria, DAG., Punjab.

Dr. Dayal Partap Singh, Advocate
for the complainant.

NEERJA K. KALSON, J.

1. The present petition has been filed under Section 483 of the BNSS, 2023 (for Section 439 Cr.P.C.) seeking grant of regular bail to the petitioner in FIR No. 118 dated 17.06.2025, registered under Section 80 of the BNS (added Section 61 of the BNS later on), at Police Station B-Division, District Amritsar City.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the above-mentioned FIR and that, at the very outset, it is pertinent to mention that all the allegations levelled against the petitioner are false, frivolous and far from the truth. It is submitted that the present petitioner, aged about 56 years, has been in custody since

20.06.2025. Investigation in the present case already stands completed and the challan has been prepared/presented before the learned trial Court on 19.08.2025 (Annexure P-2). It is further submitted that charges have also been framed against the petitioner.

3. Learned counsel for the petitioner further submits that nothing has been recovered from the petitioner and no useful purpose would be served by keeping the petitioner behind bars for an indefinite period. Moreover, the conclusion of trial on its own merits is likely to take a considerable time and, therefore, further incarceration of the petitioner is wholly unwarranted.

4. *Per contra*, learned State counsel has opposed the present petition and submitted that there are specific and direct allegations against the present petitioner. It is submitted that the deceased was continuously taunted and harassed for not bringing sufficient dowry and that she ultimately committed suicide due to the distress caused by her matrimonial family, including the present petitioner.

5. Learned State counsel further submits that one pen drive containing an audio message purportedly sent by the deceased to her mother was handed over to the Investigating Officer during the course of investigation.

6. Learned State counsel further submits that specific allegations have been levelled against the petitioner and the allegations are grave and serious in nature. Sufficient incriminating evidence is stated to be available on record against the present petitioner. It is further submitted that the case is presently pending before the learned trial Court, charges have already

been framed and no prosecution witness has been examined so far. There are a total of 19 prosecution witnesses cited by the prosecution.

7. It is further contended by the learned State counsel that the disputed questions of fact raised by the petitioner are required to be adjudicated upon by way of leading evidence before the learned trial Court. It is submitted that the deceased committed suicide by hanging herself within seven years of her marriage in the matrimonial home due to the distress and harassment allegedly caused by her in-laws, including the present petitioner, and there was no other reason which compelled the deceased to take such an extreme step.

8. Learned State counsel lastly submits that there is a strong apprehension that in case the petitioner is released on bail, he may abscond, tamper with the prosecution evidence and influence or intimidate the prosecution witnesses, thereby prejudicing the fair trial of the case. Hence, considering the gravity and seriousness of the offence, it is prayed that the present petitioner does not deserve the concession of regular bail.

9. I have heard learned counsel for the parties and have perused the paper-book as well as the record produced before this Court.

10. At the outset, this Court cannot lose sight of the nature and gravity of the allegations levelled against the present petitioner. The allegations pertain to persistent cruelty and harassment allegedly inflicted upon the deceased in connection with dowry demands, ultimately leading to her committing suicide within seven years of marriage inside her matrimonial home.

11. This Court further finds that the prosecution has placed on record material prima facie indicating the involvement of the present petitioner. The prosecution case is further supported by the audio recording allegedly sent by the deceased to her mother, wherein she is stated to have specifically referred to the harassment and mental cruelty meted out to her by her husband's family. At this stage, the evidentiary value and authenticity of the said material cannot be conclusively examined by this Court while exercising jurisdiction under Section 483 BNSS.

12. This Court also finds merit in the contention raised by the learned State counsel that the disputed questions of fact raised by the petitioner require adjudication during the course of trial on the basis of evidence led by the parties. The defence sought to be raised by the petitioner can appropriately be examined only after the prosecution witnesses are subjected to examination and cross-examination before the learned trial Court.

13. It is also pertinent to note that although charges have already been framed, admittedly, none of the prosecution witnesses have been examined so far and as many as 19 prosecution witnesses remain to be examined. Therefore, this Court is of the considered opinion that releasing the petitioner on bail at this stage may adversely affect the fair conduct of the trial.

14. Considering the seriousness of the allegations, the stage of the trial, the nature of evidence collected during investigation and the possibility of influencing or intimidating prosecution witnesses, this Court does not find it to be a fit case for grant of regular bail to the petitioner at this stage.

15. Consequently, the present petition stands dismissed.

16. However, nothing observed hereinabove shall be construed as an expression on the merits of the case and the learned trial Court shall proceed independently, strictly in accordance with law.

178. Pending applications, if any, also stand disposed of.

(NEERJA K. KALSON)
JUDGE

14.05.2026

s.khan

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No