



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

(206-1)

CRM-M-15372-2026

Date of Decision: 29.04.2026

MANJINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Ekom Pal Sagoo, AAG, Punjab.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 483 of BNSS has been invoked for grant of regular bail to the petitioner in case FIR No. 53 dated 02.03.2020 under Section 304-B and 120-B of IPC, registered at Police Station Jhabal, District Tarn Taran (Annexure P-1).

2. The translated version of the FIR is reproduced below:-

""Statement of Gurbaksh Singh, son of Joginder Singh, resident of Raja Sasi Ward No.07, District Amritsar, aged about 58 years, M.No.95328-xxxx. It is stated that I am resident of above mentioned address and used to do labour work. I am having two sons and one daughter. That my daughter xxxx aged about 25 years is youngest whose marriage got solemnized on dated 15.02.2016 with Kirpal Singh son of Baaj Singh, resident of village Thattgarh. That my daughter given birth to one son who is aged about 2 years. That at the time of marriage of my daughter we have already spent huge amount beyond my capacity and have given sufficient dowry articles as istridhan which includes one Alto Car, AC, LCD, Washing Machine, Almirah and other household articles as istridhan but my daughter used to disclose to me after coming to our house that her in-laws family members used to demand the big car Swift from her but since I am a poor person as such I could not fulfill the demand of my daughter and after making her understand used to sent her back to her matrimonial house. That my daughter disclosed to me that her father-in-law Baaj Singh, husband Kirpal Singh, brother-in-law Jassa Singh son of Baaj Singh, Pinda son of Baaj Singh, sister-in-law (Jethani) Rano wife of Jaspal Singh alias Jassa used to cause harassment to her for bringing the car. That I have gone 2-3 times after taking



the Panchayat of village Thattgarh in order to persuading the in-laws' family members of my daughter but every time they used to sent us back after giving false assurances. That about 6 months ago my daughter disclosed to me that her in-laws family members wanted to purchased Innova Car and asked her to bring one and half lakh rupees and I on the asking of my daughter gave her the entire amount but again after sometime the in-laws family members of my daughter xxxx started pressuring her for bringing Swift car and thereafter my daughter after coming to her house stated to me that she is having threat to her life from her in-laws family members and she does not want to go back to her matrimonial house as she is being harassed mentally but we all family members after persuading her dropped her back to her matrimonial house at village Thattgarh. That only 2 days has elapsed after leaving my daughter in her in-laws' house and on yesterday on dated 01.03.2020 my daughter xxxx at about 06/06:30 pm called me and stated to me that she is being harassed by her in-laws' family members in connivance with each other and at about 07:00 pm my son-in-law Kirpal Singh called me on phone and stated that xxxx has hanged herself and we were taking her to Gurunanak Dev Hospital Amritsar but she has already expired. Thereafter, I along with my younger son Gurmeet Singh and other family members went to Gurunanak Dev Hospital Amritsar where Kirpal Singh, Jassa Singh, Pinda, Rano and along with them 2-3 unidentified person after leaving the dead body of our daughter ran away in the car. That we gave the information to the police chowki at the Hospital. That my daughter xxxx has been killed by strangulation by her in-laws family members which includes Baaj Singh (father-in-law), Kirpal Singh (Husband) Jassa Singh (brother-in-law), Pinda (brother-in-law) Rano (sister-in-law) due to not brining Swift car in the dowry. That today you met me in the Guru Nanak Dev Hospital, Amritsar as such the statement has been got recorded action may kindly be taken. Statement has been read over which is admitted to be true, Sd/- Gurbaksh Singh, attested by Sd/- Vipran Kumar, ASI, PS, JHABAL."

3. Status report by way of affidavit of Sukhbir Singh, PPS, Deputy Superintendent of Police, Sub-Division Tarn Taran, District Tarn Taran has been filed by the State, which is taken on record. A copy thereof has been furnished to the learned counsel for the petitioner.

4. Learned counsel for the petitioner submits that the petitioner, being the father-in-law of the deceased, has been falsely implicated in the present case on the basis of the statement made by the father of the deceased. It is submitted that the marriage between the deceased and Kirpal Singh, son of the petitioner, was solemnized on 15.02.2016 and during the subsistence



of the marriage no matrimonial complaint was ever lodged against the petitioner or her family members. Furthermore, even the FIR in the instant case was lodged one day after the unfortunate occurrence. Learned counsel contends that neither have any specific allegations been attributed to the petitioner regarding any act of cruelty or demand of dowry which could have led the deceased to commit suicide, nor is there any material on record that points towards the commission of the any offence by the petitioner. It is further contended that all the material witnesses viz. the family members of the deceased, have not supported the case of the prosecution in their depositions before the learned Trial Court, and they were declared hostile. Reliance in this regard is placed upon their depositions annexed as Annexures P-2 to P-5. The complainant has also passed away during the pendency of the trial. Moreover, similarly placed co-accused namely Raj Kaur (mother-in-law of the deceased) has already been granted regular bail by this Court on 12.03.2026 in CRM-M-70514-2025. It is also submitted that the 63 year old petitioner has already undergone an actual custody of 07 months and 29 days and has clean antecedents.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He states that the petitioner was actively involved in the commission of the offence. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 07 months and 29 days. The learned State counsel, on instructions from official concerned, submits that in the present case, charges were framed on 07.07.2025 and out of total 16 prosecution witnesses, 06 have been examined till date. He submits that in view of the serious allegations against



the petitioner, he is not entitled to the concession of regular bail.

6. Heard the rival submissions made by learned counsel for the parties. The following points have been noticed:

- (i) Marriage between the son of the petitioner and the deceased was solemnized about four years prior to the unfortunate occurrence.
- (ii) No injuries were found as per PMR of the deceased, wherein the cause of death is stated as ante-mortem hanging.
- (iii) No complaint moved by the daughter of the complainant, or any other family member, made during the subsistence of the marriage, has been brought on record.
- (iv) Prima facie, no specific allegations have been levelled in the FIR as to when and how the demand for dowry was made by the present petitioner, or any harassment/cruelty was meted out pursuant to the same.
- (v) Material witnesses have turned hostile before the learned trial Court.

7. Before proceeding further, a gainful reference can be made to the observations passed by the Hon'ble Supreme Court in ***Sanjay Chandra v. CBI, (2012) 1 SCC 40***, relevant paras whereof reads thus:

"21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it is required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be



innocent until duly tried and duly found guilty.

22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, "necessity" is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances."

8. Reverting to the case in hand, it is borne out from the record that charges came to be framed on 07.07.2025. Yet, only 06 out of 16 cited prosecution witnesses have been examined. The pace of the proceedings, thus, indicates that the conclusion of trial is not imminent. The petitioner has already remained in actual custody for a period of 07 months and 29 days. It is also not disputed that he has no criminal antecedents and is not involved in any other case.

9. While the truthfulness or otherwise of the allegations levelled against the petitioner, and the culpability, if any, would be tested and determined on the touchstone of evidence during the course of trial, the parameters governing the grant of bail necessitate a balanced consideration of the nature of accusation, the stage of the trial, the antecedents of the accused, and the likelihood of his absconding or influencing the course of justice.

10. Presently, no material has been placed on record to suggest that the petitioner poses a flight risk or that his release would impede the fair



conduct of the trial. Moreover, it is noted that the material witnesses during the course of their examination before the trial Court, did not support the prosecution version and have been declared hostile. While it is settled that the probative value of such testimony is a matter for appreciation at the stage of final adjudication of the case, yet, even while refraining from entering into any conclusive evaluation thereof, this factum cannot be completely overlooked. Therefore, upon taking into account all the considerations stated hereinbefore, and without expressing an opinion on the merits of the case lest it may prejudice the trial, this Court is of the opinion that the continued detention of the petitioner, in the backdrop of the pace of the proceedings and the substantial period of incarceration already undergone, would not advance the cause of justice. The guarantee of personal liberty under Article 21 of the Constitution of India, which includes the right to a speedy trial, obliges the Court to ensure that pre-trial incarceration does not assume a punitive character. The prolonged incarceration, without the prospect of the trial being concluded in the near future, would also run contrary to the settled legal principle that 'bail is the rule and jail is the exception', as reaffirmed by the Hon'ble Supreme Court in ***Dataram Singh vs. State of Uttar Pradesh and another (2018) 3 SCC 22***.

11. Accordingly, the present petition is allowed, and to ensure that the interests of justice are adequately safeguarded, the petitioner is ordered to be released on regular bail upon furnishing of adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate, subject to the following terms and conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.



- (ii) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (iii) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (iv) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (v) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

12. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

13. It is reiterated that the observations made in hereinabove are only for the purpose of adjudicating the present bail petition, and must not be construed as a final expression of opinion on the merits of the case.

14. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

April 29, 2026
Ritika

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