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

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Date of decision: 30.04.2026

Tripat Singh

...Petitioner

V/S

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Hitesh Chopra, Advocate and
Mr. Amit Kumar, Advocate for the petitioner.

Mr. Sukhbeer Singh, DAG, Punjab.

Mr. Vipin Mahajan, Senior Advocate with
Ms. Gaganbir Kaur Kahlon, Advocate
for respondent No.2.

SHALINI SINGH NAGPAL, J.

1. Petitioner seeks regular bail in case arising out of FIR No.117 dated 26.06.2025 under Sections 108, 3(5) and 238 of BNS, Police Station Shri Hargobindpur, District Gurdaspur. This is the first petition for regular bail.

2. Case was registered on complaint of Amrik Singh son of Joginder Singh, father of deceased, who stated that his daughter Harmeet Kaur was married with Tripat Singh 19 years ago. For about 5/6 years Tripat Singh behaved well but later, he developed illicit relationship with a woman Harpal Kaur. Regarding this, his daughter had informed him and his wife but they kept ignoring the matter to save her matrimonial life. As his daughter opposed the relationship, Tripat



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Singh repeatedly assaulted Kamaljit Kaur and threw her out of the house. His daughter come to his home but his son-in-law's sister namely Amarjit Kaur and his brother-in-law would advise and take her back. On 25.06.2025 at 2:00 PM, Kamaljit Kaur called her younger sister from her mobile and told her that she was consuming poison to end her life, fed up with the illicit relationship of Tripat Singh and Harpal Kaur.

3. Learned counsel for the petitioner submits that petitioner, husband of deceased, was behind bars w.e.f. 22.11.2025. Investigation of the case was complete but no prosecution witness was examined till date. He further submits that deceased committed suicide after 19 years of married life suspecting that petitioner was in illicit relationship with another lady. It is urged that as per complaint, petitioner was in illicit relationship after 6 years of marriage, therefore, the episode was not a recent one. There was no act or incident of abetment or instigation in close proximity to the commission of suicide. Learned counsel further submits that even if the allegations in the FIR were accepted as correct, no ingredient of the offence under Section 108 of BNS was made out as there was neither any instigation nor any incitement on the part of the petitioner to compel the deceased to commit suicide. The petitioner had no *mens rea* to commit the offence under Section 108 of BNS. The story in the FIR was cooked up by father of the deceased who was unhappy with the marriage of his daughter, which was a love marriage. Referring to the decisions of Hon'ble Supreme Court in

'Gurcharan Singh vs. State of Punjab, Criminal Appeal No.40 of



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2011, 'Pinakin Mahipatray Rawal v. State of Gujrat, Criminal Appeal No.811 of 2004, 'Dataram Singh v. State of Uttar Pradesh & Anr., Criminal Appeal No.227 of 2018 (Arising out of SLP (Crl.) No.151 of 2018), Sanjay Chandra v. Central Bureau of Investigation, Criminal Appeal No.2178 of 2011 (arising out of SLP (Crl.) No.5650 of 2011), 'Ayyub and ors. V. State of Uttar Pradesh and Anr., 2025(2) SCC (Cri) 93 and 'Mahendra Awase v. The State of Madhya Pradesh, 2025(2) SCC (Cri) 569, he prays that petitioner be enlarged on regular bail.

4. Learned State counsel assisted by learned counsel for respondent No.2 has opposed the prayer for regular bail, submitting that petitioner was not entitled to the concession as the case was at initial stage. Petitioner was in custody for only 4 months and it was too early to release him on bail. Moreover, petitioner had all along been falsely projecting that it was a case of snake bite. Subsequent conduct of the petitioner was very relevant. It was prayed that prayer for bail deserved to be declined.

5. Petitioner is behind bars w.e.f. 22.11.2025. His antecedents are clean and he is not stated to be involved in any other case. Investigation of the case is complete. Petitioner has roots in the society and the court has no reason to suspect that the petitioner would obstruct the course of justice or evade the process of law. Whether or not the ingredients of offence under Section 108 of BNS would be attracted in the facts of the case would be moot point during the trial, to be determined only on conclusion thereof. Considering the



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period of incarceration and all relevant 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.

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

30.04.2026
Kapil

(SHALINI SINGH NAGPAL)
JUDGE

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