



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(215)

CRM-M-26694-2025 (O&M)
Date of Decision: 27.1.2026

Gurinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Lalit Singla, Advocate and
Ms. Varsha Sharma, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (ORAL)**CRM-21485-2025**

The application is allowed as prayed for. Annexure P-11 is
taken on record.

CRM-M-26694-2025

1. This is the second petition filed under Section 483 of BNSS,
2023 for grant of regular bail to the petitioner in case FIR No. 134 dated
01.7.2024 under Sections 80, 85, 3(5) of BNS, 2023, registered at Police
Station Sadar Nabha, District Patiala.

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

*“Statement of Charanjeet Singh Malwanna, son of Darwara
Singh resident of Chounda, Amargah, Malerkolta, aged around
33 years M. No. 98554-49698 states that I am resident of the
above address and is married and do agricultural work. We are
two brother-sister. My sister is younger to me, whose name is
Rxxxxx who is married to Gurinder Singh son of Bahadur*



Singh, resident of Kot Kallan, Sadar Nabha Patiala for the last four years. In-laws family of my sister used to harass us again and again for the demand of dowry and she has been given beatings also. To save the house of my sister we used to settle the matter among ourselves and fulfill their demand. This year in February month that my brother in law Gurinder Singh demanded Rs 2 Lakh. I for the peaceful life of my sister, borrowed money on interest from my friend namely, Gurdeep Singh son of Mahinder Singh resident of village Chounda and give to my brother in law because of his demand of dowry. Despite that In-laws family of my sister used to taunt and harass her. Around one week ago, Gurinder Singh called me on my phone and demanded Rs.1,50,000/- and I citing my incapacity and responded to him. After some time, he tortured my sister and called on my phone number 98534-49698 from the phone number of my sister 83605-31876 and asked me to give Rs.1,50,000/ to him. I disconnected the call after asking for some time. Thereafter, yesterday on 30.06.2024 around 8/9 PM in the evening a call was received on the phone number of my father 90412-93133 from the phone of my sister and at time he was absolutely fine and everyone talked to her. She told me that Gurinder Singh and her mother Gurmail Kaur are repeatedly harassing her to bring Rs.1,50,000/-and asked me to arrange it as soon as possible and I assured her that I will arrange Rs.1,50,000/- shortly and then we slept in our respective rooms. Now, today on 01.07.2024 at around 2:17 AM Gurinder Singh from his phone No. 93308-40004 called on my phone number 98554-49698 and told me that my sister is seriously ill. I alongwith my uncle (Chacha) namely, Jarnail Singh son of Narang Singh resident of Chounda and son of my maternal uncle (mama) namely Gagandeep Singh son of Mukand Singh resident of Jothe Majra and my wife Amandeep Kaur and Daljeet Singh son of Major Singh, resident of Chounda village reached Kot Kallan at the house of my sister and we saw that my sister is lying down on cot in the lobby of



their house. I and my wife checked her then my sister had a deep marking of cloth on her neck. Gurinder Singh and her mother Gurmai Kaur in connivance with each other killed my sister by draping cloth around her neck due to non fulfillment of demand of dowry. Then I alongwith Gagandeep Singh, Jarnail Singh were coming to inform about death of my sister then you with police party recorded my statement at Bus stand Chintawala. Legal action be taken against Gurinder Singh and her mother Gurmail Kaur.”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case by the complainant, who is the brother of the deceased. It is submitted that the marriage of the petitioner and the deceased was solemnized way back on 09.12.2020. Prior to the unfortunate incident, no complaint was ever made by the deceased with regard to demand of dowry or cruelty against the petitioner or his family members. The true factual dimension is that since the couple did not have any issue from their wedlock, the wife of the petitioner was disturbed emotionally, for which she was also undergoing treatment. Reliance in this regard has been placed on Annexures P-2 to P-6. Another point of contention was the petitioner's inability to take his wife to Canada, since the sponsor letter was only for the petitioner. Under such circumstances, did the unfortunate incident take place. In fact, on the fateful day, the deceased had pushed the petitioner out of the room and locked the room from inside, where she ended her life.

4. Learned counsel further submits that from the status report dated 15.12.2025 it has come on record that upon examining the material available during investigation, it was found that right upto 15 days prior to the unfortunate occurrence, the deceased was living happily in her in-laws house, and she was not harassed by the petitioner or his family members.



This fact is further corroborated from the contents of the pen drive containing CCTV footage, which though was not procured at the relevant time by the agency concerned, but was produced before it by the petitioner's side. It has also been submitted that in the post-mortem report, the cause of death has been opined as *ante mortem* hanging, which is sufficient to cause death in ordinary course of nature. He further submits that the petitioner has undergone an actual custody of 01 year, 06 months and 24 days and there is no other criminal case registered against him.

5. Learned State counsel 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 01 year, 06 months and 24 days. The learned State counsel, on instructions from ASI Gurmit Singh, submits that in the present case, after completion of investigation, challan was presented on 29.8.2024, and the charges are not framed yet.

6. Heard the rival submissions made by learned counsel for the parties.

7. On a perusal of the case in hand, it transpires that the petitioner is behind the bars for the last 01 year, 06 months and 24 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the learned Court concerned and the charges are yet to be framed. The veracity of the allegations levelled against the petitioner shall be established during the course of the trial. No useful purpose shall be served by further detention of the accused-petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle "Bail is a rule,



“Dataram Singh vs. State of Uttar Pradesh and another”, (2018) 3 SCC 22.

8. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following 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.

9. 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.

10. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.



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

(KIRTI SINGH)
JUDGE

January 27, 2026
Gurpreet Singh

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