



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRA-S-1815-2026 (O&M)
Date of decision: 29.05.2026

Lakhwinder Singh

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Ms. Ruchi Sekhri, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present appeal is to the order 12.03.2026 passed by the Additional Sessions Judge, Patiala, whereby the application for grant of regular bail to the appellant has been dismissed in case arising out of FIR No.169 dated 25.07.2025 registered under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023 [Section 115(2) of BNS & Section 3(1)(s) and 3(2)(va) of the SC/ST Act added later on] at Police Station Patran, District Patiala.

2. Learned counsel appearing on behalf of the appellant contends that the present FIR was registered on the statement of complainant Malkit Singh recorded on 25.07.2025, wherein it was alleged that his son, Davinder Singh, who was employed as the driver of truck bearing registration No. PB-11BA-8925, along with his friend Harpreet Singh, committed suicide on account of the conduct of the present appellant, who happened to be the owner of the said vehicle. Learned counsel submits that the gravamen of the

allegation against the appellant is that he had questioned Davinder Singh regarding a sum of Rs.65,500/-, received as freight charges from another party, which was stated to be missing from the truck. It is contended that the appellant, being the owner of the vehicle and employer of the deceased driver, was fully justified in seeking an explanation regarding the missing amount and that such questioning, by itself, cannot constitute instigation, intentional aid or active participation so as to attract the ingredients of the offence of abetment of suicide.

3. It is further contended that even if the allegations contained in the FIR are accepted in their entirety, the same merely indicate a dispute or inquiry regarding missing cash and do not disclose any positive act, mens rea or proximate conduct on the part of the appellant capable of driving a reasonable person to commit suicide. Learned counsel submits that the essential ingredients necessary to constitute an offence punishable under the provisions relating to abetment are absent in the present case. She contends that be that as it may, the appellant has been in custody since 15.09.2025 and has undergone an actual custody of nearly 09 months. It is submitted that the investigation in the present case is complete and the chargesheet has also been filed however charges have not been framed. She further contends that the prosecution has cited as many as 32 witnesses and thus, the trial is likely to take a long time to conclude. Learned counsel additionally submits that the appellant is not involved in any other criminal case and has no criminal antecedents.

4. Learned counsel for respondent-State does not dispute the aforesaid factual aspects. It is however contended that there are serious

allegations against the appellant about having questioning and harassing the son of the complainant which instigated him to commit suicide. The rest of the averments are, however, not disputed.

5. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

6. Without commenting on the merits of the case and taking into consideration the facts and circumstances as noted above, including the clean antecedents of the petitioner, that arguable issues would arise with respect to the offence of abetment of suicide and the existence of the requisite mens rea, the element of instigation and the proximate nexus between the acts complained of and the commission of suicide; the fact that the investigation in the present case stands concluded and the final report stands presented before the competent Court; that charges have not yet been framed; that as many as 32 prosecution witnesses have been cited by the prosecution and none of them has been examined so far and bearing in mind that the trial is likely to take a long time to conclude, I deem it fit to allow the instant appeal.

7. Accordingly, the instant appeal is allowed and the appellant is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

8. It is made clear that the appellant shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

29.05.2026

Mangal Singh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(VINOD S. BHARDWAJ)

JUDGE