

230-1  
CRM-M-39402-2025

-1-



IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M-39402-2025  
Date of decision: 03.02.2026

ANIL KUMAR

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Ms. Parul Saini, Advocate and  
Mr. Randeep Singh Dhakla, Advocate for the petitioner.

Ms. Shaveta Sanghi, DAG Haryana.

Mr. Abhinav Sood, Advocate for the complainant.

.....

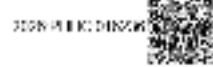
**RUPINDERJIT CHAHAL, J. (ORAL)**

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.14 dated 14.01.2025 registered under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Quilla Panipat, District Panipat.

2. Brief facts of the present case as per the prosecution are that the husband of the complainant committed suicide by consuming poison due to mental harassment caused by the petitioner and other co-accused. Hence, the present FIR.

3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. She further contends that the petitioner is the maternal uncle (Mama) of the deceased and he has been falsely roped in the FIR. She

submits that there are allegations involving monetary transactions, however,



there is no evidence regarding the same. She argues that even otherwise, the allegations as entailed in the FIR do not satisfy the ingredients of Section 108 of BNSS. She further argues that the voice note sent by the deceased to one - Narinder Kumar is of no relevance as the said Narinder Kumar is neither made prosecution witness nor his mobile has been taken into possession by the police. It is further argued that the petitioner was working in the firm owned by the deceased and the complainant and if there would have been any financial dispute then the complainant and the deceased would not have allowed the petitioner to work in the said firm. She further submits that the deceased committed suicide as he was under mental stress after suffering huge losses in his dairy business. Moreover, the petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 09.03.2025. The investigation in the case is complete; challan stands presented; out of 21 prosecution witnesses only 01 has been examined. She submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record. Status report has already been filed and she while relying upon the same has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. She submits that the deceased committed suicide because of mental harassment caused by the petitioner. However, she has not controverted the fact that the petitioner is first time offender as he is not involved in any other case.



6. In the present case, the allegations against the present petitioner are primarily of monetary dispute and due to mental stress the deceased committed suicide. The petitioner is in custody since 09.03.2025; investigation is complete, challan stands presented; out of 21 prosecution witnesses only 01 has been examined till date, as such, trial is proceeding at a snail's pace and will take long time to conclude. Hence, no useful purpose would be served by detaining him in further custody. 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.

7. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind bars, till her guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "bail is a rule" and "jail is an exception".

8. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)  
JUDGE

03.02.2026  
puneet

|     |                            |        |
|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |