

2026:PHHC:005410



215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60724-2025
Date of Decision: 14.01.2026

Sukhjivan Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Harpal Singh Sidhu, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. Petitioner, co-accused in case FIR No.127 dated 10.09.2025 registered against him, under Section 108 BNS, at Police Station Zira, District Ferozepur, has filed the petition for grant of pre-arrest bail under Section 482 of BNSS.

2. Status Report dated 12.12.2025 by way of affidavit of Mr. Jaspal Singh, PPS, Deputy Superintendent of Police (SD), Zira, District Ferozepur has been filed on behalf of the respondent-State, which is taken on record. In para 8 thereof, the factum of petitioner having joined the investigation has been mentioned.

Learned State counsel, on instructions from ASI, Samsheer Singh, states that the petitioner has joined the investigation and is not needed for any further investigation.

3. On 31.10.2025 following order was passed:-

“This petition for grant of anticipatory bail under Section 482

BNSS, has been filed by petitioner, a co-accused in case bearing FIR No.127 dated 10.09.2025 registered against him at Police Station Zira, District Ferozepur, for the commission of offences punishable u/s 108 of BNS.

Smt. Charanjeet Kaur, wife of Sulakhan Singh, resident of Saner, set the criminal law in motion by filing a complaint pointing therein that her husband, namely, Sulakhan Singh had died about 08 years ago. She has three children. Her eldest daughter, namely, Sukhpreet Kaur is married and residing in Canada. Younger to her is Ramandeep Singh (since deceased), who was unmarried, the youngest son Gurpreet Singh is also unmarried but is residing in Canada. Complainant pointed out that her elder son Ramandeep Singh, aged about 24 years, had saved Rs.14 lakh for going abroad. For quite some time, the boy used to visit the house of Sukhjivan Singh, son of Swaran Singh, r/o Saner. Several other persons also used to visit Swaran's house and indulge in gambling. Unfortunately, her son Ramandeep also fell in this trap. Sukhjivan Singh, Sukhmandar Singh @ Mandar (present petitioner), s/o Gurcharan Singh, r/o Kot Karor Kalan, Sewak Singh, s/o Moti Singh, Gurpreet Singh, s/o Amar Singh, all residents of Saner, Kaami, s/o unknown, r/o Kot Ise Khan and Sona, s/o unknown encouraged her son to indulge in gambling and thus, defrauded the boy of Rs.16 lakh. On account of financial loss, her son started remaining in depression. In the morning of 09.09.2025, her son disclosed that today all the persons are assembling at Sukhjivan's house and that they had assured him that his money would be returned. However, the accused persons did not keep their promise. Her (complainant's) son Ramandeep was extremely upset on this count and unable to bear more pressure, at about 04.30 PM he consumed Sulphas tablets, video-graphed the incident and posted it on Facebook. The accused, as alleged by complainant, snatched his son's mobile phone. When she came to know of this tragic incident, she immediately made arrangements and took her son to Sukhmani Hospital, Zira along with her brother-in-laws, namely, Achhar Singh and Kuldeep Singh, where the doctors, on seeing the delicate medical condition of the boy, refused to admit him. They rushed to Village Saner to arrange for money but the boy unfortunately breathed last at home.

Complainant alleged that her elder son Ramandeep consumed Sulphas tablets and died as he was distressed by the acts of Sukhjivan, Sewak Singh, Gurpreet Singh, Kaami, Sona and Sukhmandar Singh (petitioner), who all had lured him to spend his hard-earned savings in gambling and had also refused to return the same.

Primarily with this backdrop, complainant requested the police authorities to catch hold of all those, who were involved in the unfortunate death of her son, as also to initiate appropriate criminal proceedings against them. On the said statement, a formal case vide FIR No.127 dated 10.09.2025 was requested for the commission of offence under Section 108 of BNS (earlier Section 306 IPC).

Apprehending his arrest, present petitioner had moved an application for grant of pre-arrest bail, before the learned Additional Sessions Judge, Ferozepur. The same was dismissed, in terms of order dated 09.10.2025. Aggrieved of the said order, the present petition has been filed.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. In fact, Ramandeep (deceased) was a habitual gambler and a drug addict. Complainant was very well aware of the objectionable activities of her son but did not make any effort to stop him or to put him on the right track. Never ever, she lodged any complaint with the village Panchayat or police authorities that petitioner and his other accomplices have induced/allured her son into gambling. In the so-called video referred to by complainant in the complaint, which was subsequently uploaded on Facebook, 08-10 other villagers are also noticed, wherein petitioner and others cannot be seen to instigate the deceased to commit suicide.

Continuing further, learned counsel submits that complaint is totally silent of any positive overt-act on the part of petitioner, soon before the incident, which instigated deceased and brought him to such a situation in life, where he had no option but to commit suicide. Further, the falsity of the case set up by complainant is also apparent from the fact that no specific time period has been mentioned during which the deceased allegedly spent Rs.16 lakh on gambling. Learned counsel further contends that present FIR is

nothing but a clever tactic adopted by complainant to extort money from petitioner and other accused. Even from the contents of complaint, no offence under Section 306 IPC is made out. Learned counsel further submits that the petitioner is ready and willing to join the investigation as and when called by the Investigating Officer.

In support of his contentions, learned counsel places reliance on following judgments of the Hon'ble Supreme Court:-

- (i) “Abhinav Mohan Delkar Vs. The State of Maharashtra & others” (2025(3) RCR (Criminal) 871), decided on 18.08.2025.**
- (ii) “Amalendu Pal Vs. State of West Bengal”, ((2010) 1 SCC 707).**
- (iii) “Gurcharan Singh Vs. State of Punjab”, ((2010) 1 SCC 200).**
- (iv) “Mahendra Awase Vs. The State of Madhya Pradesh”, (2025 INSC 76) decided on 17.01.2025.**
- (v) “Jayedeepsinh Pravinsinh Chavda and others Vs. State of Gujarat” (2025(1) RCR (Criminal) 169).**
- (vi) “Malkeet Kaur Vs. State of Haryana”, Law Finder Doc ID # 2648146 and**
- (vii) “Devender Vs. State of Haryana”, Law Finder Doc ID # 275427.**

Heard.

Notice of motion.

Mr. Gautam Thapar, Sr. DAG, Punjab, accepts notice on behalf of respondent-State and prays for time to file status report in the matter.

Adjourned to 15.12.2025.

In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.

4. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 31.10.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is

directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 5. The petition stands allowed.
- 6. Pending application, if any, also stands disposed of.

14.01.2026
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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