



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

108-1

CRM-M-66251-2025 (O&M)

Date of decision: 25.02.2026

Kulwinder Singh

...Petitioner(s)

VERSUS

State of Punjab and another

...Respondent(s)

108-2

CRM-M-63918-2025 (O&M)

Date of decision: 25.02.2026

Kulwinder Singh

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

137

CRM-M-66250-2025 (O&M)

Date of decision: 25.02.2026

Kulwinder Singh

...Petitioner(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Mr. Sukhmeet Singh, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

Mr. A.S. Dhaliwal, Advocate for respondent No.2
in CRM-M-66251-2025 and CRM-M-66250-2025.

Mr. Pankaj Bains, Advocate for respondents No.2 and 3
in CRM-M-63918-2025.

Mr. Deepak Gupta, Advocate and
Mr. Avi Karan Bansal, Advocate for respondent No.3
in CRM-M-66250-2025.

Mr. Adarsh Priyadarshi, Advocate (through V.C.)
Mr. R. Kartikeya, Advocate for respondent No.4
in CRM-M-66250-2025.

VINOD S. BHARDWAJ, J. (Oral)

1. All these three petitions are being decided by this common order as it espouses a common grievance in same FIR against different accused.

2. Aggrieved of the order dated 09.10.2025 passed by the Additional Sessions Judge, Moga, granting anticipatory bail to the Principal as well as the teachers of the Govt. Senior Secondary School, Kamalke Kalan, Tehsil Dharamkot, District Moga in case bearing FIR No. 245 dated 19.09.2025 registered under Sections 108, 61(2) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Dharamkot, District Moga, these petitions have been filed seeking cancellation of the anticipatory bail. For facility of reference, facts are however being taken from **CRM-M-66251-2025** titled as '*Kulwinder Singh Vs. State of Punjab and another*'.

3. Briefly stated, facts of the present case are that FIR in question was registered on the statement of Kulwinder Singh, wherein he stated that his son Jashandeep Singh was studying in 11th class in Government Senior Secondary School, village Kamalke. On 23.08.2025, after school hours, his son Jashandeep Singh returned home and consumed some poisonous substance (insecticide/herbicide) but he did not disclose about the same to anyone. When he found that condition of his son has started deteriorating, then he took him to the hospital, where his son was vomiting and continuously suffering from loose motion. Thereafter, he got his son admitted in VBC Heart Care Center Hospital, Jalandhar and after getting the treatment for seven days, he took his son to Capital Hospital, Jalandhar. After getting the treatment for two days in the said hospital, Doctor advised

them to get the treatment from DMC Hospital, Ludhiana and upon which, he has got admitted his son in DMC Hospital, Ludhiana. His son remained admitted in DMC Hospital from 11.09.2025 to 16.09.2025 and thereafter from DMC Hospital, his son was again referred to AIIMS Hospital, Bathinda. After getting the treatment for six hours, doctors of AIIMS hospital expressed their helplessness and asked him to take his son back and provide home services. Thereafter, he took his son back to the house. Surinderpal Singh, Principal and teachers Hardeep Singh alias Gurdeep Singh, Nanson, Kalu Ram, Madam Jyoti and Rajinder Kaur Madam of Government Senior Secondary School, Kamalke gave beatings to his son and also insulted him in the school and due to this, his son has consumed some poisonous substance. Thereafter on 17.09.2025, due to his critical condition, his son died. On the basis of aforesaid statement of complainant, present FIR was got registered against the accused/respondents.

4. Short replies filed on behalf of the respondent-State in CRM-M-66251-2025 and CRM-M-63918-2025 already available on file are taken on record.

5. Learned counsel appearing on behalf of the petitioner contends that Jashandeep Singh, minor son of the petitioner was given beatings by the teachers of the school as a result whereof, Jashandeep Singh committed suicide. The case was accordingly registered for commission of offences under Section 108 of the Bharatiya Nyaya Sanhita, 2023 but an undue concession has been extended by the Additional Sessions Judge, Moga and anticipatory bail has been granted to the respondents. It is contended that taking into consideration the gravity of offence which resulted in untimely

demise of a young boy, the anticipatory bail granted to the accused/respondents ought to be cancelled.

6. Learned State counsel as well as the counsel for the respondents contend that the instant petitions are misconceived and there are no circumstances as have been reflected in the petitions or pointed out during the course of arguments seeking cancellation of bail granted. There is no allegation of any abuse of process of law, the respondents having tampered with the evidence or making an attempt to influence the witnesses or them being a flight risk. It is further not the allegation that any fact had been wrongly or fraudulently reported to the Court thus resulting in grant of concession of anticipatory bail to the accused/respondents. It is contended that as per the medio legal report, there were no signs of any injury, hence, the allegation of the petitioner to the effect that his son was given beatings is false. It is contended that the poisonous substance was consumed by the son in his house and that he was taken to hospital, however, unfortunately he passed away. It is further contended that there was no specific role or attribution which may be interpreted as any instigation on the part of the respondents herein. It is submitted that as a matter of fact, the deceased was spotted under objectionable circumstances with one girl student of the school, in a secluded class room, during midday meal time, by the staff member(s) of the school. In order to maintain discipline in the school, the disciplinary authority called the parents of the deceased as well as the girl and unanimously passed a resolution dated 23.08.2025 to the effect that name of the both the students be struck off the rolls of the school for a period of one week. Thereafter, on 08.09.2025, the school authorities

noticed that Jashanpreet Singh had stopped attending the school and remained absent whereupon an enquiry was made from the parents and the said circumstances surfaced.

7. It is thus contended that the Additional Sessions Judge, Moga has specifically placed reliance on the judgment in the matter of ***Geo Verghese Vs. State of Rajasthan***, reported as ***2021 (4) RCR (Criminal) 361***, wherein it is recorded that reprimanding a student by a teacher would not ordinarily be construed as an instigation to commit suicide. It is submitted that the necessary ingredients for cancellation of bail are not made out and that the anticipatory bail had been granted on valid reasons without there being any fraud practiced by the respondents or they having abused the process of law, therefore, the petitions deserve to be dismissed.

8. Learned counsel appearing on behalf of the petitioner is not in a position to refute any of the submissions that have been advanced by the respondent-State as well as the respondent(s)-accused. Consequently, I find that there is no illegality, perversity or impropriety in the order(s) under challenge and no circumstances, as would necessitate the cancellation of a bail are either indicated or made out from the documents available on record or from the arguments advanced. Cancellation of bail would not be akin to rejection of bail. Unless the circumstances such as fraud/concealment of relevant material facts, misuse of bail by tampering or threatening of the witnesses, flight risks etc. are established on record or the grant of bail is shocking, in the circumstances of a case, the bail granted, is ordinarily not to be cancelled.

9. Consequently, these three petitions for seeking cancellation of

bail are **dismissed** and the order(s) dated 09.10.2025 passed by the Additional Sessions Judge, Moga granting bail to the respective respondent(s)-accused is upheld.

25.02.2026

Mangal Singh

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

(VINOD S. BHARDWAJ)
JUDGE