



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229

CRM-M-67135-2025
Date of Decision : 04.02.2026

JASWINDER SINGH ALIAS JASSA

...Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Gagandeep Singh, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. This petition for grant of anticipatory bail has been filed by petitioner, a co-accused in case bearing FIR No.175 dated 21.08.2024, registered against him at Police Station City-I Abohar, District Fazilka, u/s 306 read with 34 of IPC.
2. Learned State counsel, on instructions from ASI Rajbir Singh, states that the petitioner has joined the investigation and is not needed for further investigation.
3. On 29.11.2025, following order was passed.

“1. This petition for grant of anticipatory bail has been filed by petitioner, a co-accused in case bearing FIR No.175 dated 21.08.2024, registered against him at Police Station City-1 Abohar, District Fazilka, u/s 306, 34 of IPC.
2. Relevant facts as emerging from documents on record be noticed hereinbelow:-



Criminal proceedings in the present case were initiated on the basis of statement of Smt. Beant Kaur, wife of Krishan Singh, resident of Street No.03, Karm Nagar Seed Farm, Abohar, who pointed therein that her husband had died about 06 years ago. She has 03 children. Her elder daughter Mandeep Kaur, is aged about 25 years, younger to her daughter, is her son - Komalpreet Singh, aged about 22 years and youngest of all is Tejinder Singh @ Rohan @ Datdhi, aged about 20 years, who had studied till Class 10 and was a labourer. The boy was suffering from fever for the last few days. The doctor, whom they consulted, diagnosed that the boy is suffering from 'Kala Peliya'. Requisite medicines were being administered to the boy but he used to remain upset. Few days ago, Tejinder Singh had gone to Rajasthan to collect cotton bales and returned back in the evening on 19.10.2023 to fetch his woolen clothes. He also disclosed to her (c) that he would go back to Rajasthan on the following morning. On 20.10.2023, Mandeep Kaur (elder daughter of complainant) was visiting her from Chandigarh. The girl also wanted to collect her woolen clothes and when she entered the room, she saw Tejinder hanging from the ceiling fan. The boy had committed suicide. Relatives were called. Body was kept in mortuary at Civil Hospital, Abohar. Complaint further pointed out that her son was suffering from 'Black Jaundice' and that no one is responsible for his death. Thus, no action be initiated against any person. The said statement of complainant was recorded on 21.10.2023.

Inquest proceedings were conducted. Postmortem examination was also got conducted. In the Viscera report received from chemical examiner, Kharar, no poison was detected. During the course of investigation, a 'Suicide Note' left by deceased was also sent to FSL, Mohali for analysis. After receipt of the report on 19.08.2024, a formal case vide FIR No.175 dated 21.08.2024, under Section 304, 34 of IPC was registered against the present petitioner and her husband and criminal proceedings were set into motion.

3. Apprehending his arrest, Petitioner had moved an application for grant of pre-arrest bail, before the learned Additional Sessions



Judge, Fazilka. The same was dismissed, in terms of order dated 21.08.2025. Aggrieved of the said order, the present petition has been filed.

4. Learned counsel submits that petitioner has been falsely implicated in the present case. Falsity of the case set up by prosecution is apparent from the fact that there has been unexplained delay of about 10 months in lodging the FIR. Continuing further, learned counsel submits that deceased died on 20.10.2023 on account of his ill health. At that point in time, the complainant (mother of the deceased) who was aware of all the facts did not hold anyone responsible for her son's death. Learned counsel next submits that after a period of about 10 months, petitioner was arrayed as accused on the basis of a 'Suicide Note' written by the deceased, in which he (deceased) had levelled vague allegations against the petitioner and her husband. Continuing further learned counsel contends that a bare perusal of the said note reveals that the deceased was addicted to intoxicants. Precisely for the said reason his mother had taken him to her parental house. The boy alleged that his maternal uncle (mama ji) (present petitioner) and aunt (mami ji) were not allowing him to reside in the house. There were frequent quarrels between the mother of the deceased, his aunt and uncle. Towards the end, he (deceased) mentioned that his aunt and uncle are responsible for his death.

Learned counsel further contends that if deceased was actually upset on account of misbehavior of maternal uncle (petitioner) and aunt, who were not letting him stay in their house and were fighting quite often, he would have brought this fact to the notice of his mother, siblings, close friends etc. before taking this extreme step and the mother would have been the first person to lodge the complaint. Rather mother of the deceased in her first statement given to the police authorities specifically mentioned that he was suffering from 'Black Jaundice' and was on regular medication, as also that he was working as a labourer and had gone to Rajasthan to fetch cotton and had returned back home to collect woolen clothes as winter had set in. Further, even his sister was visiting the house to collect her woolen



clothes when the unfortunate incident occurred. From the facts that have been brought on record, it thus, emerges that deceased and his mother were living separately. Moreover, in the suicide note, allegations levelled are vague, for it has not been pointed out as to when petitioner and his wife had quarrelled with deceased, what was the reason thereof. Thus, when appreciated in the light of entire facts and circumstances brought on record, no prima facie case u/s 306 IPC is made out.

In support of his contentions, learned counsel places reliance on following judgments:-

(i) S. S. Cheena Vs. Vijay Kumar Mahajan, (2010 (12) SCC 190) of Hon'ble Supreme Court.

(ii) Sarabjeet Kaur Vs. State of Punjab, (CRM-M No. 40443 of 2022) of Punjab and Haryana High Court.

(iii) Malkeet Kaur Vs. State of Haryana, (CRM-M No.42593 of 2024).

Learned counsel further contends that the presence of appellant is not needed for custodial interrogation, as nothing is to be recovered from her. Nonetheless, she is ready and willing to join the investigations as and when required by the Investigating Officer.

5. Notice of motion for 10.12.2025.

6. Meanwhile, without expressing any opinion on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and cooperate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on her 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 29.11.2025 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.

(AARADHNA SAWHNEY)
JUDGE

04.02.2026
Nisha Yadav

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No