



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-69921-2025
Date of decision: 28.01.2026

JASPAL SINGHPetitioner

VERSUS

STATE OF PUNJABRespondent

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

Present: - Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant **third petition** has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 255 dated 05.10.2024, registered under Section(s) 105 of BNS, 2023 at Police Station City Kapurthala, District Kapurthala.
2. The FIR in the present case has been registered on the statement of Gagandeep son of late Deen Bandhu which reads thus:-

“Stated that I am resident of above address and do the work of DJ. That about 2 years ago I alongwith my father late Deen Bandhu had played DJ at the house of Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh presently residents of Chuharwal P.S. Urban Estate Kapurthala District

Kapurthala. There they had got acquainted with my father and then we also became family friends. About one and half years ago Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh had talked with my father late Deen Bandhu regarding sending me abroad to Armenia. My father had agreed to send me abroad. They finalized the talk for sending me abroad to Armenia for Rs. 10 lakhs. Out of this I had paid Rs. 1,93,000/- from account of my Aunt's (Bua) son Pardeep Singh on the PAYTM No. 95011-91681 of Kavita on different dates. Rs. 3,07,000/- was given in cash by me alongwith my father and Aunt's son Pardeep Singh by going to the house of Jaspal Singh son of Sewa Singh. However, Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh above said did not send me to Armenia and kept on making excuses. My father asked Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh that if you cannot send our son abroad then return our money. Upon this Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh started verbally abusing my father and gave threats to kill. This money had been borrowed by my father from his relative and given to Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh. Whenever we used to demand our money from them then they used to quarrel with us and verbally abused us. Yesterday on 09.12.2025 at about 7:30 PM my father late Deen Bandhu went to them to asked for money. There Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh started quarreling and verbally abused my father and started pushing and shoving him. During this Jaspal Singh forcibly pushed my father on his chest. Due to this my father started having pain in his chest. Thereupon we took my father to Kaushal Hospital, Kapurthala where on seeing the condition of my father they referred him to Tagore Hospital, Jalandhar. There during treatment my father died at about 11:02 PM on 09.12.2025. Therefore, legal action be taken against Jaspal Singh son of Sewa Singh and Kavita wife of Jaspal Singh both

presently residents of Chuharwal P.S. Urban Estate, Kapurthala and justice be given to me and my family.”

3. Learned Counsel appearing on behalf of the petitioner contends that as per the allegations levelled, the petitioner is alleged to have only pushed the father of the complainant on his chest and not given any blow. The complainant's father eventually passed away on account of a Cardiac arrest. It is submitted that the necessary ingredients for commission of offence under Section 105 of BNS would thus not be made out. It is argued that Kavita, co-accused of the petitioner has already been granted concession of anticipatory bail by this Court. He further contends that the petitioner is in custody since October, 2024 and has already undergone an actual custody of more than 01 year and 02 months. He submits that even the charge has not been framed so far, hence, conclusion of trial shall take long. He submits that the petitioner is not involved in any other criminal case.

4. Learned State Counsel, however, contends that the complainant had led his specific attribution to the petitioner for having pushed late Deen Bandhu, against his chest as a result whereof he eventually passed away while in hospital. He further contends that there is yet another case registered against the petitioner for commission of offence under Section 420 IPC. Rest of the submissions with respect to the period of custody undergone by the petitioner as well as the stage of trial are not disputed.

5. Having heard learned counsel appearing on behalf of the respective parties and taking into consideration the nature of the allegations levelled against the petitioner, the arguable issues that would arise with respect to existence of the necessary ingredients for commission of offence under Section 105 of the BNS, 2023 as well as the stage of the trial, I deem

it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

6. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

8. 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.

JANUARY 28, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No