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CRM-M-69796-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-69796-2025
Date of decision: 03.02.2026

DARSHAN SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Angrej Singh Sarwara, Advocate
for the petitioner.

Mr. Amritpal Singh Gill, DAG Punjab.

Mr. S.S. Gill, Advocate for the complainant.

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RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.0074 dated 18.09.2025, registered under Section 108 of BNS, at Police Station Jaurkian, District Mansa.

2. Brief facts of the present case are that the petitioner along with co-accused had instigated the deceased to commit suicide. Hence the present FIR.

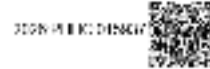
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further contends that the petitioner is innocent and he has not committed any offence. He submits that as per the FIR, on the fateful day, a quarrel took place between the deceased and his wife and thereafter the deceased left the house and



to the deceased nor his wife. He submits that even if the FIR is taken at its face value, the allegations against the petitioner is confined to one isolated incident only. He further submits that the deceased left no suicide note and the complainant had named the petitioner only due to emotional disturbance. Learned counsel for the petitioner submits that the matter has been compromised between the petitioner and the complainant. He submits that the petitioner has clean antecedents as he is not involved in any other case. Learned counsel further submits that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation has been initiated and is under way qua the petitioner. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Sessions Judge, Mansa vide order dated 13.10.2025.

5. On the other hand, learned State counsel has already filed the status report in the matter, and he, while referring to the same, has opposed the prayer for grant of anticipatory bail, by submitting that the allegations levelled against the petitioner are serious in nature. He has submitted that the petitioner along with some other persons gave beatings to the deceased and due to that the deceased felt humiliated and committed suicide. He further submitted that the entire incident was recorded and has been produced before the Investigating Agency by one Gurvinder Singh. Thus, learned State counsel prays that custodial interrogation of petitioner is required for effective investigation and to complete the missing links.



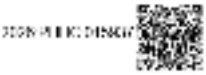
6. Learned counsel appearing on behalf of the complainant affirms the factum of compromise and submits that he has no objection if the present petition is allowed.

7. Learned State counsel has objected to the compromise between the parties and submits that since it is a case of abetment to suicide, hence, there is no scope of compromise between the parties and the role of the petitioner in the offence is duly substantiated by the video recording of the incident.

8. Heard.

9. In the present case, the allegations against the petitioner are serious in nature. As per the prosecution, the petitioner has abetted the deceased to commit suicide. Further, as per prosecution, the incident of beating immediately before suicide is recorded in a video clip. Compromise between the parties in an offence under Section 108 BNS is of no avail as the victim has already died. The investigation prima facie indicates involvement of the petitioner in the said crime.

10. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '**State Vs. Anil Sharma', (1997) 7 SCC 187**, wherein it has been held as under:



"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

11. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is hereby dismissed.

12. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(RUPINDERJIT CHAHAL)
JUDGE

03.02.2026
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