

CRM-M-16880-2025  
CRM-M-18332-2025

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM-M-16880-2025  
Reserved on: 06.05.2025  
Pronounced on: 19.05.2025

Taranjit Singh ...Petitioner

Versus

State of Punjab ...Respondent

CRM-M-18332-2025

Rajbir Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vipin Mahajan, Advocate  
for the petitioner(s)

Mr. Akshay Kumar, AAG, Punjab.

Mr. M.S.Basra, Advocate and  
Mr. Anupinder Brar, Advocate  
for the complainant.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
12	14.01.2025	Dinanagar, District Gurdaspur	108/62/3(5) of BNS (Section 62 of BNS deleted)

1. Vide this common order, CRM-M No.16880 of 2025 and CRM-M No.18332 of 2025 are being disposed of. For brevity, the facts are being taken from CRM-M No.16880 of 2025.

2. The petitioner(s) apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

3. In paragraph 13 of the bail petition (CRM-M-16880-2025) and 14 of the bail petition (CRM-M-18332-2025), the accused declare that they have has no criminal antecedents.

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4. The facts and allegations are being taken from the status report filed by the State in CRM-M-16880-2025, which reads as follows:

“5. That it is humbly submitted that the brief facts of the case are that the deceased Surinder Singh was got recorded his statement to ASI Balkar Singh on 13.01.2025 that on 07.01.2025 that his wife had asked him to drop her at bus stand, Bariar. When we reached bus stand, Bariar, she called her brother and told him to come and pick her up. Then his wife got out of car and said, her brother would take her, and he should go back. He said he would park the car on the other side of the road. Then he got a call from his wife saying she had found an auto-rickshaw (Tempoo) and he should leave for house. So he started heading towards the village, and when he reached Paniar, he made repeated calls on the mobile phone of his wife but her mobile phone was switched off. She had not reached her parental house. Thereafter, he had gone to the house of his brother-in-law/ wife's sister's husband, Taranjit Singh but his wife Rajbir Kaur (Petitioner) was not available at his house. He had lodged the missing report with Police Station Dinanagar on the same day. On the next day, he again went to the house of Taranjit Singh his brother Harinder Singh was also available at the house and he inquired from him as to why he had given beatings to Rajbir Kaur and had broken her arms. He further told him that she has been got admitted in the Civil Hospital. When he went to the Civil Hospital, his wife was not available there. Thereafter, he had contacted his brother-in-law Harpreet Singh, who called him to Agricultural Farm, Gurdaspur. He had inquired from him as to if he would rehabilitate his wife at his house and he had answered in the affirmative but Harpreet Singh did not take the matter to the logical conclusion. Police had also not been cooperating with him. He further stated that his wife had taken the gold ornaments with her while leaving the house and presently she is with Taranjit Singh) and wanted to get married with him. He further stated that he has taken the poison on account of the harassment caused to him by his wife Rajbir Kaur (Petitioner), brother-in-law/ wife's sister's husband Taranjit Singh and his brother Harinder Singh. Hence a case FIR No. 12 dated 14.01.2025 under section 108,62 and 3(5) of BNS at Police Station Diananagar was registered against the 1) Taranjit Singh and 2) Harwinder Singh, 3) Gurtaj Singh, 4) Sartaj Singh, and 5) Rajbir Kaur (Petitioner).”

5. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner(s) and their family.

6. The State's as well as counsel for the complainant opposes bail and refers to the status reports filed in both the cases.

7. It would be appropriate to refer to the following portions of the status report in CRM-M-16880-2025, which read as follows:

“(iii) Evidence against the petitioner:-

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*It is humbly submitted that there are sufficient evidences available against the petitioner. i.e. statement of deceased/complainant Surinder Singh, statement of witnesses, statement of co-accused Harwinder Singh @ Harinder Singh dated 06.03.2025, statement of co-accused Rajbir Kaur after joining the investigation as per direction of this Hon'ble High Court and that statement of co-accused Rajbir Kaur is corroborating with statement of deceased/complainant Surinder Singh and other relevant evidences in relation to this case.*

**(iv) ROLE OF THE PETITIONER:**

*It is humbly submitted that the petitioner and the other co-accused in consonance with each other abetted the deceased Surinder Singh in the commission of suicide.”*

8. It would be appropriate to refer to the following portions of the status report in CRM-M-18332-2025, which read as follows:

**“(iii) Evidence against the petitioner:-**

*It is humbly submitted that there are sufficient evidences available against the petitioner. i.e. statement of deceased/complainant Surinder Singh.*

**ROLE OF THE PETITIONER:**

*It is humbly submitted that the petitioner and the other co-accused in consonance with each other abetted the deceased Surinder Singh, in the commission of suicide.”*

9. Allegations against the petitioner(s) are of abetment. Petitioner Rajbir Kaur is the wife of deceased and the other petitioner is her paramour as alleged in the status report. There is nothing on record that petitioners are responsible for his death. Complainant has drawn attention of this Court to Annexure R-1 which is video made by the deceased before he committed suicide. As concerned for the video made by deceased, it only shows commission of suicide but the person who is committing suicide is silent. Thus, this Court cannot draw adverse inference to any abetment or instigation by the petitioner(s).

10. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

11. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage.

12. Without commenting on the case's merits, in the facts and circumstances peculiar

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to this case, and for the reasons mentioned above, the petitioner(s) make a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

13. Given above, provided the petitioner(s) are not required in any other case, the petitioners shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

14. While furnishing a personal bond, the petitioner(s) shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

**15.** The petitioner(s) are directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner(s) shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioners shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner(s) shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

**16.** In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioners notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

**17.** It is clarified that if the petitioners violate any bail condition, the State and/or the victim may file an application for bail cancellation before the trial court, which shall be competent to cancel the bail or add more conditions. Furthermore, if the petitioners move for deletion or dilution of any bail conditions, the trial court is empowered to do so.

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**18.** Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

**19.** *A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.*

**20.** **Petition(s) allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

19.05.2025  
Jyoti Sharma

Whether speaking/reasoned: Yes

Whether reportable: No.