



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

CRM-M-3302-2025

DATE OF DECISION: 21.01.2025

JEET RAM @ JEETA RAM

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Kartik Patial, Advocate with
Mr. Jangveer Singh, Advocate for the petitioner(s).

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. Relief Sought

This petition has been filed by the petitioner under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.275 dated 15.12.2024 under Section 108 BNS registered at Police Station Samrala, District Khanna.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

'Statement of Sammi wife of Bugga Ram resident of village Dhilwan police station Samrala district Ludhiana age around 38 years Mobile No. 9815946132. Stated that I am resident of above said address, I do hard labor work and household work. I got married in 2000 to Bugga Ram, son of Shamir Ram, a resident of Dhilwan.I have a son Rahul age 16 years and a daughter Sanjana, age 12 years. My husband, Bugga Ram, is a truck driver who has been driving a truck for Happy Walia Transport Khanna for about two months. 14.12.2024, I had gone to Bhawanigarh to On pay obeisance with my two children. When I reached Khanna on my way back, it must have been around 4:00 PM. I received a call from



Veepan, son of Gyan, resident of Dhilwan, that Uncle Bugga above said had consumed some poisonous medicine. I took him to Samrala Hospital Karan, then I reached to Samrala Hospital Karan with my son Rahul. Upon reaching the hospital, I saw the condition of my husband Bugga Ram, which was very critical. THEN morning, I opened my husband Bugga Rem's mobile phone and my son Rahul checked it, In which, we saw a recorded video in which my husband Bugga Ram is speaking and saying that I am fed up from Seva Ram son of Jaimal Ram, Jasvir Singh Dholi son of Malkeet Ram, Jeet Ram son of Tehlu Ram, Jora Ram son of Channu Ram resident of Dhiivan police station Samrala, Lakha Ram son of Piyara Ram resident of Bajigar Dera Lalorri Kala Highway road Samrala police station Samral, Satvinder Singh alias Happy son of Baldev Singh resident of Kalal Majra police station Sadar Khanna district Ludhiana. I am fed up with these people and am ending my life by drinking poisonous medicine. Today, on 15.12.204, at around 3:00 PM, my husband Bugga Ram passed away in the hospital while undergoing treatment. Strictest possible action should be taken against the above said persons. Today, I have come to Samrala police station with Brother-in-law (Jeth) Giyani Ram, son of Shamir to inform you and the statement is scribed to you. Statement is being read and heard and is correct. Action should be taken. SD/- Sami, Verified SD/ Giyani 84274-37666, Attested SD/- Harjinder Singh ASI police station Samrala Dated 15.12.2024. Action Police: Today Station House Munshi has presented a ruga no. 6692 dated 14.12.2024 of injured Bugga Ram son of Shamir Ran resident of Dhilwan police station Samrala Karan Hospital to myself ASI. Today on dated 15.12.2024 myself ASI along with Constable Rajneesh Kamboj 638/Khanna, PHG Palwinderpal Singh 17891 were presented at police station, then Sami along with Giyani above said came to the police station and got scribed their above said statement to myself ASI. After the statement was scribed, read, listened to,



and believed to be true, appended her signature in Punjabi below the statement, and was verified by Sammi's brother-in-law, Giyani. Myself ASI has attested the statement. From the above statement, the offense is found to be committed U/s 108 BNS, statement has been sent to police station for registration of case against Seva Ram son of Jaimal Ram, Jasvir Singh @ Dholi son of Malkeet Ram, Jeet Ram son of Tehlu Ram, Jora Ram son of Channu Ram resident of Dhilwan police station Samrala, Lakha Ram son of Piyara Ram resident of Bajigar Dera Lalorri Kala Highway road Samrala police station Samrala, Satvinder Singh alias Happy son of Baldev Singh resident of Kalal Majra police station Sadar Khanna district Ludhiana by hand through PHG Palwinderpal Singh 17891. After registration of case FIR, its number should be obtained from the case file. Special reports should be issued. DCR Khanna and Senior Officers should be informed. Myself ASI along with fellow officials heading towards the spot for the further investigation.'

3. **Contentions**

On behalf of the petitioner

Learned counsel for the petitioner submits that though the petitioner has been named by the deceased in a video clip, and alleged to have harassed him which forced the deceased to take the extreme step but that cannot be a reason to implicate the petitioner in the present case. The similarly situated co-accused has already been granted the concession of anticipatory bail vide order dated 17.01.2025 (Annexure P-3).

On behalf of the State

Learned State Counsel appearing on advance notice opposes the prayer for grant of concession of anticipatory bail stating that the allegations against the petitioner are serious in nature but could not put



forth any material to connect him with the alleged commissioning of offence.

4. **Analysis**

Be that as it may, having given a considerable thought to the fact that no incriminating material has been put forth by the prosecution to connect the petitioner with the commissioning of offence except that her name has been mentioned in the FIR and ingredients of Section 108 of BNS ie, the abetment or the instigation at the part of the petitioner is missing in the present case, therefore, prima facie offence under Section 108 of BNS cannot be made out at this stage Moreover she is not involved in any other case, meaning thereby he is a person of clean antecedents, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein she has bona fide intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under 438 (2) of Cr.P.C. of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such



directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 437, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

21.01.2025
sangeeta

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No