



CRM-M-51249 of 2025

-1-

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

223

CRM-M-51249 of 2025
Date of Decision: 17.09.2025

Rajinder Singh @ Honey

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Naveen Batra, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.69 dated 03.07.2025 registered under Section 108 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Bhadson, District Patiala.
2. Brief facts of the present case are that as per the prosecution, the brother of the complainant Gurmeet Singh-deceased had committed suicide, due to harassment and torture by the petitioner and other co-accused.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the said offence. He further contends that the petitioner is the co-brother-in-law (sadu) of the deceased-Gurmeet Singh and he has been roped in the FIR only because of close relationship with the wife of the deceased. He argued that even otherwise, the allegations as entailed in the FIR do not satisfy the ingredients

**CRM-M-51249 of 2025****-2-**

of Section 108 of BNS. He further argued that no specific overact has been attributed to the present petitioner, which amounts to abetment of suicide. He further argued that wife of deceased, namely, Manpreet Kaur left home on 29.06.2025 following a quarrel with the deceased. On 03.07.2025, her body was recovered from the canal as she committed suicide because of matrimonial discord with the deceased Gurmeet Singh. He further submits that the deceased committed suicide out of fear of getting roped in the suicide of Manpreet Kaur. Moreover, the petitioner has clean antecedents as he is not involved in any other case. The petitioner is in custody since 03.07.2025. The investigation in the case is complete and challan stands presented. He submits that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind the bars. Therefore, it is urged that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has filed the custody certificate of the petitioner, which is taken on record. He has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is first time offender as he is not involved in any other case.

6. Heard.

7. In the present case, the allegations against the present petitioner are that he being co-brother-in-law (sadu) along with other co-accused used to interfere in the matrimonial life of deceased Gurmeet Singh and his wife Manpreet Kaur. Due to this, the deceased committed suicide whereas the

**CRM-M-51249 of 2025****-3-**

petitioner is alleging that there was matrimonial discord and strained relations between the deceased-Gurmeet Singh and Manpreet Kaur (since deceased). As per the petitioner, Manpreet Kaur due to quarrel with her husband had left home on 29.06.2025 and her body was recovered on 03.07.2025. The deceased committed suicide out of fear of legal action against him as Manpreet Kaur had committed suicide. It has also been argued that offence under Section 108 of BNS is not attracted in the present case. The rival contentions raised at bar, including as to whether offence under Section 108 of BNS, 2023 is made out against the petitioner or not shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into rival contentions, at this stage, lest it may prejudice the trial.

8. Perusal of the custody certificate placed on record reflects that the petitioner is in custody for the last more than 02 months and is not shown to be involved in any other case. Investigation in this case is complete; challan stands presented, and the fact that trial may take a long time to conclude, no useful purpose would be served by detaining him in further custody. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

9. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of

**CRM-M-51249 of 2025****-4-**

India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

10. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

17.09.2025*D.Bansal*

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No