

**IN THE COURT OF UPINDER SINGH JANDU,
ADDITIONAL SESSIONS JUDGE, SANGRUR.
(UID Number PB00842)**

Case Type	Bail Application
Registration Number	1730 Date of Registration : 02.06.2025
CNR Number	PBSG01-004436-2025
Date of Decision	02.06.2025

Mandeep Kaur aged about 37 years wife of Mangat Singh resident of village Chhahar, daughter of Gurjant Singh, resident of Madal town 2 village Sheron, P.S.Cheema, District Sangrur

...Applicant/accused

Versus

State of Punjab

...Respondent

Application Under Section 482 of BNSS for grant of Anticipatory

Bail

FIR No. 19 Dated 26.02.2025.
Under Section 108 of BNS.
Police Station Cheema.

Present: Sh. Gurpreet Singh, Advocate for applicant/ accused.
Sh. Hakikat Rai Goyal, Additional Public Prosecutor for the State.

ORDER

1. This bail application for grant of anticipatory bail been filed on behalf of applicant/accused in a case FIR number 53 dated 16.05.2025 Under Section 108 of BNS Police Station Cheema.

2. In pursuance of notice of the application having been issued, the learned Additional Public Prosecutor for the respondent-State has put in appearance. Record has been produced by ASI Gurbachan Singh number 503/SGR.

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3. I have heard the learned counsel for the applicant/accused and learned Additional Public Prosecutor for the State assisted by learned counsel for the complainant and have gone through the record.

Arguments advanced by the learned counsel for the Applicant/accused:

4. The learned counsel for the applicant/accused submitted that the ingredients of offence under Section 306 IPC/108 BNS are not attracted in the case. There has been no abetment of suicide at the instance of the applicant/accused. The accused/applicant is ready to join the investigation and no recovery is to be effected from him. It has been prayed that the applicant/ accused be released on anticipatory bail.

Arguments advanced by Learned Additional Public Prosecutor for the State assisted by learned counsel for the complainant:

5. On the other hand, learned Additional Public Prosecutor for the State assisted by learned counsel for the complainant has opposed the bail application on the ground that deceased has committed suicide on account of harassment by applicant/accused as she has left her matrimonial home about four months ago and is residing in her parental house. They tried to rehabilitate her matrimonial home but she refused to do so because she has illicit relation with someone, owing to the harassment of the applicant/accused, deceased has committed suicide. It has been prayed that bail application of the applicant/accused be dismissed as custodial interrogation of the applicant/accused is necessary.

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Factual matrix of the Case:

6. The criminal law was set into motion on the basis of statement of the complainant Nachhatar Singh to the effect that his son, Mangu Singh alias Mangu was married to Mandeep Kaur daughter of Gurjant Singh son of Gora Singh resident of Model Town-2 Sheron, District Sangrur. Out of their wedlock, two children were born, elder one is Amrit Singh aged about 14 years and younger to him was Karandeep Singh aged about 10 years. On 15.05.2025 at about 4.00 P.M, his son, Mangat Singh went away on his motorcycle from the house. After taking meal, he had slept. In the morning, at about 7.00 A.M, his brother Gurmail Singh informed him that Mangat Singh has died. They went to Jasvir Kaur wife of Darbara Singh son of Kaka Singh resident of Chahar who was Sarpanch of the village. Then Darbara Singh disclosed them that Rana Singh Sarpanch informed at about 10.30 P.M on 15.05.2025 that Mangat Singh has committed suicide by hanging from the tree with the help of 'Parna' and his dead body is lying at Civil Hosptial, Sunam. Her daughter-in-law Mandeep Kaur has left her matrimonial home leaving her both the sons about 4 months ago because she was annoyed from Mangat Singh and had started residing at her parental house. They visited the parental house of Mandeep Kaur to rehabilitate her but she refused to do so because she has illicit relations with some one. Due to that reason, his son, Mangat Singh was in tension and he has finished his life due to harassment by Mandeep Kaur.

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Findings:

7. After giving my thoughtful consideration to the rival submissions and on careful perusal of the averments put in the application, contents of the FIR, perusal of the record produced, coupled with the assistance rendered, it is pertinent to make mention that the version of the prosecution at the outset is that the deceased committed suicide owing to harassment by the applicant/accused because she has left the company of deceased Mangat Singh for about 4 months ago and had started residing in her parental house with the allegations that she has illicit relations with some one. Bare perusal of the contents of the FIR do not speak of any abetment to commit suicide having been extended by the applicant/accused. Moreover there is no suicide note on record showing any abetment to have been made by the applicant/accused. Reliance can be placed upon the judgment of **the Apex Court rendered in Amalendu Pal @ Jhantu v. State of West Bengal AIR 2010 SC 512**, wherein it has been held that mere harassment without any positive action on the part of the accused proximate to the time of occurrence which led to the suicide would not amount to an offence under Section 306 IPC. Further reliance is placed on the findings of **Hon'ble Punjab and Haryana High Court in Kirandeep Kaur vs. State of Punjab, 2022 Law Herald 1316**, held while relying upon **the findings of Apex Court rendered in Amalendu Pal @ Jhantu v. State of West Bengal AIR 2010 SC 512** discussed supra, that where there is no suicide note and no overt act has

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been attributed to petitioner and FIR has been registered on account of doubt and suspicion of the father of deceased that his son had committed suicide doubting that the petitioner was living in illicit relationship with someone, and had refused to join the matrimonial house with the son of the complainant, ingredients of section 306 IPC are not attracted.

8. In the gamut of circumstances of the case, question of involvement and role of the accused/applicant in the stated offence is to be ascertained at the stage of trial of the case. Ergo, at this stage, without meticulously examining the evidence on record and without commenting upon the merits of the case, this Court is of the considered view that prima facie it is a fit case to grant benefit of interim Anticipatory Bail to the applicant-accused. Accordingly, the applicant/accused is admitted to interim Anticipatory Bail, in case of her arrest, on furnishing bail bonds and surety bonds to the satisfaction of concerned arresting officer/investigating officer, subject to the following terms and conditions:-

- (i) Applicant shall join the investigation within 5 days from today and he/they shall make themselves available for interrogation by police officer as and when required thereafter and shall fully co-operate in the investigation;
- (ii) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person(s) acquainted

with the facts of the case, so as to dissuade him/them from disclosing the true facts to the court or to any police officer;

(iii) Applicant shall not leave the country without prior permission of the Court; and

(iv) Applicant shall not commit any offence similar in nature of which they are accused, or suspected, of the commission of the same.

9. Now, the matter is adjourned to 09.06.2025 for awaiting report regarding joining of investigation by the aforesaid applicant/accused.

Dated:02.06.2025
Pronounced in open Court

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Rakesh Kumar, Stenographer Grade-I.

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