

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

**CRM-M-57231-2022**

Date of Decision : December 09, 2022

Muskanpreet Kaur

.....Petitioner

**Vs.**

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present : Mr. Inderjit Sharma, Advocate  
for the petitioner.

Mr. Navneet Singh, DAG, Punjab.

Ms. Jasneet Mehra, Advocate for  
Ms. Jainika Jain, Advocate  
for the complainant.

**ARVIND SINGH SANGWAN, J.**

This is the first petition under Section 438 Cr.P.C. for granting the concession of anticipatory bail to the petitioner in FIR No.256 dated 30.8.2022 under Section 306 IPC, registered at Police Station Civil Lines, Batala, District Batala.

Counsel for the petitioner submits that the petitioner is falsely implicated in the FIR, which is registered at the instance of one Balbir Singh, with the allegations that his youngest son Harjot Singh, aged about 25 years in the year 2019 developed a love affair with

petitioner Muskanpreet Kaur and they wanted to marry each other. When this fact came to the notice of the mother and other relations of the girl, Harjot Singh and petitioner Muskanpreet Kaur left the home on 7.1.2019 but the parents and relative of Muskanpreet Kaur came to the house of the complainant and told his wife that they should call their daughter and they will make an arrange marriage. After the girl came back, Paramjit Kaur, mother of the petitioner, got FIR No.6 dated 8.1.2019 registered under Sections 36, 363, 366-A, 120-B IPC.

It is further stated that the girl returned back on 10.1.2019 and the said case is fixed for trial before the Court and the son of the complainant was under depression because of the behaviour of the petitioner. Again, the petitioner and her relative started demanding Rs.6,00,000/- from deceased Harjot Singh in order to effect a compromise and even sent message on Instagram in this regard. On account of being harassed, humiliated and insulted, Harjot Singh has committed suicide on 25.8.2022.

Counsel for the petitioner also submitted that the FIR was registered after 04 days of the death of Harjot Singh and no suicide note was found. It is also submitted that after the death of Harjot Singh, initially proceedings under Sections 174 Cr.P.C. were initiated and there is no explanation of delay in registration of the FIR. It is also submitted that the messages sent on Instagram are not conclusive to prove as the same is to be proved in terms of Section 65(3) of the Indian Evidence Act.

Lastly, the counsel for the petitioner has argued that from the perusal of the FIR, it is not proved that the petitioner has abetted the deceased in such a manner that he has no option but to commit suicide.

Learned State counsel, with the assistance of counsel for the complainant, has submitted that the petitioner through her mother got registered the FIR No.6 dated 6.1.2019 against the deceased and thereafter, started demanding Rs.6,00,000/- to settle the dispute. Learned State counsel has further submitted that even at the instance of the deceased by way of disclosure statement Harjot Singh @ Golu was involved in another FIR No.48 under Sections 379, 411 though he had no role in the same and, therefore, the harassment caused by the accused was to such an extent that the deceased had no option but to commit suicide.

Learned counsel for the petitioner has submitted that, in fact, the petitioner, in conspiracy with her family members forced the deceased to leave the home on the pretext of marriage immediately thereafter, got her falsely implicated in the case of rape and she had an intention to perform marriage with Harjot Singh deceased, even after registration of the FIR, she could have come to the Police Station or got her statement recorded before the Magistrate under Section 164 Cr.P.C. that she is willing to perform marriage with Harjot Singh.

To the contrary, she started demanding Rs.6,00,000/- to settle the dispute arising out of FIR, which show that she with the per-determined mind, the petitioner implicated Harjot Singh in a false case to extort money and even subsequently, he was involved in one more FIR under Section 379 Cr.P.C.

In reply, counsel for the petitioner submits that in both the FIRs, Harjot Singh was absenting from the Court proceedings and for that reason he had committed suicide.

After hearing learned counsel for the parties and going through the allegations in the FIR, especially looking at the conduct of the petitioner that she was demanding Rs.6,00,000/- from the deceased, who was involved in FIR under Section 376 IPC as a ploy to extort money from him, this Court finds no ground to grant the concession of anticipatory bail to the petitioner.

Accordingly, the present petition stands dismissed.

**December 09, 2022**  
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**( ARVIND SINGH SANGWAN )**  
**JUDGE**

Whether speaking/reasoned : YES / NO  
Whether reportable : YES / NO