



CRM-M-43479-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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Date of decision : November 07, 2024

Ramanjit Kaur @ Ramanjeet Kaur & ors

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. SK Jain, Advocate, for the petitioners
(Through VC)

Mr. Sahil R. Bakshi, AAG, Punjab

Mr. AS Dhindsa, Advocate, for the complainant

KULDEEP TIWARI,J. (ORAL)

1. On 4.9.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioners seek the concession of anticipatory bail, in case FIR No.46 dated 07.08.2024, under Sections 108, 351(2), 351(3), 3 (5) of the Bhartiya Nyaya Sanhita, 2023, registered at P.S. Kheri Gandian, District Patiala.

2. The record reveals that, the backbone for registration of the present FIR is constituted by the suicide of one Pachittar Singh (since deceased/hereinafter referred to as ‘deceased’). The deceased also left a suicide note,



wherein, he alleged his wife Taranpreet Kaur, his parents-in-law (present petitioners) and some of their relatives, responsible for his suicide.

3. The genesis of the present FIR is embodied in a complaint/statement made by deceased's father Hardev Singh. Succinctly stated, the allegations levelled in the present FIR are that, consequent upon relations becoming strained between the deceased and his legally wedded wife Taranpreet Kaur (petitioners' daughter), the petitioners and their co-accused pressurized and threatened the deceased to take divorce from Taranpreet Kaur by filing a petition under Section 13(B) of the Hindu Marriage Act. Owing to this pressure and threats, the deceased committed suicide.

4. The learned counsel for the petitioners submits that, petitioners' daughter solemnized marriage with the deceased without their knowledge and even after solemnizing marriage, she never resided at the deceased's residence, rather was residing in their house itself. Subsequently, when the deceased and petitioners' daughter could not pull off their marriage, they decided to part ways by filing a divorce petition under Section 13-B of the Hindu Marriage Act before the family court concerned and even got recorded their statements of first motion. The petitioners came to know about their marriage only after commission of suicide by the deceased.

5. On the strength of the above made submissions, the learned counsel for the petitioners submits that, when



the petitioners were never aware about marriage of the deceased and their daughter, there was no occasion for them to, at any point of time, abet, induce or instigate the deceased to commit suicide. Therefore, the ingredients of abetment are completely lacking. The allegations levelled in the FIR do not carry any truth, rather are flimsy allegations.

6. At this stage, Mr. Angraze Singh Dhindsa, Advocate, who records his appearance on behalf of the complainant, under a validly executed Vakalatnama instituted before this Court today, vehemently opposes the grant of anticipatory bail to the petitioners, on the ground that, a young person has committed suicide because of the petitioners and their co-accused. He submits that, in fact, the petitioners' daughter had sent letter(s) to the deceased, thereby threatening him to either obtain divorce from her by filing divorce petition, else she would commit suicide. Not only this, the petitioners also pressurized and threatened the deceased, which resulted in commission of suicide by the latter.

7. Be that as it may, considering the totality of the facts and circumstances, the alleged act of the petitioner prima facie does not attract the offence of abetment. Therefore, this Court deems it appropriate to grant the asked for relief to the petitioners.

8. Notice of motion for 14.10.2024.

9. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

10. In the meantime, the petitioners are directed to join



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the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and they are no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 4.9.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.



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5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

November 07, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No