

2025:PHHC:113937



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41222-2025

Date of decision: August 27, 2025

Rajbinder Kaur @ Rajvinder Kaur

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Shivender, Advocate for
Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.82 dated 30.05.2025, registered for offences punishable under Sections 108, 3(5) of BNS 2023, at Police Station Thermal, District Bathinda.

2. On 01.08.2025, the following order was passed:

“Apprehending her arrest in FIR No.82 dated 30.05.2025 registered for offences punishable under Sections 108, 3(5) of BNS 2023 at Police Station Thermal, District Bathinda; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

*Counsel for the petitioner, inter alia, contends that the petitioner is a lady aged about 55 years, the cause brought forth in the suicide note indicates wrangling which is of routine nature in a matrimonial life between the daughter of the petitioner and son of the complainant, the ingredients of Section 108 of BNS, 2023 are not made out from the factual matrix of the lis & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in **Mohit Singhal Vs. State of Uttarakhand**,*

(2024) 1 SCC 417 and 'Mahendra Awase Vs. The State of Madhya Pradesh', (2025) 4 SCC 801.

Notice of motion.

On the strength of advance notice; Mr. Gurpartap S. Bhullar, AAG, Punjab has entered appearance on behalf of the respondent-State of Punjab.

At this stage; Mr. A.S. Dhaliwal, Advocate entered appearance on behalf of the complainant and filed his memorandum of appearance.

Adjourned to 27.08.2025.

The petitioner is directed to appear before the Investigating Officer on 08.08.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. She shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023."

3. Learned State counsel (on instructions) has submitted that pursuant to the order dated 01.08.2025, the petitioner has indeed joined investigation, and his custodial interrogation is not required.

4. Having heard learned counsel for the parties, upon perusal of the record and in view of the stance of the State, the interim order dated 01.08.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

5. Petition stands allowed, accordingly.

6. This order should not be treated as "blanket" order. It will not be read granting petitioner 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.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 27, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No