

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:176404



228

CRM-M-43046-2025 (O&M)
Date of decision: 19.12.2025

Jaswinder Kaur

... Petitioner

Vs.

State of U.T., Chandigarh

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Mr. Manish Bansal, Public Prosecutor, U.T., Chandigarh.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner seeking grant of regular bail in case arising out of FIR No.0142, dated 20.06.2025, registered under Sections 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sector-36, Chandigarh.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant -Lovepreet, alleging that in the morning of 18.06.2025, his cousin brother Deepak Kumar had gone for work in Topan factory. However, after leaving his motorbike outside his house, he left somewhere and did not come back home. In the wee hours of the next morning, his another cousin brother Manindra Kumar had received a whatsapp message and voice message from the victim Deepak, wherein he

had mentioned that two females, namely, Amarjit Kaur and Prabhdeep Kaur had been blackmailing him. They started searching for the victim and found his dead body to be hanging with a fan in Room No.106 of Hotel Hari Palace at Chandigarh. After registration of the FIR, investigation proceedings were initiated. During the course of investigation, accused Amarjit Kaur was arrested. It was revealed that the petitioner had been representing herself as Prabhdeep Dhillon on the social media. She was arrested on 25.06.2025. Mobile phone of the deceased as well as of the petitioner were taken into possession by the police. Investigation now stands completed and she along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She was not even named in the FIR. There is no material on record to show that she had abetted suicide by the victim. She was not even named in the audio recording of the deceased as well. She was not the sister of the co-accused. She is a married woman with two children. She has no criminal antecedents. She is in custody since long. Trial will take considerable time to conclude. Further incarceration of the petitioner would not serve any useful purpose. It is, thus, argued that the petition deserves to be allowed.

4. Per contra, learned Public Prosecutor, U.T., Chandigarh while supporting the pleas as taken in the status report has vehemently argued that there are serious allegations against the petitioner. The investigation has revealed that she had been representing herself as Prabhdeep Dhillon and had been blackmailing the victim. The call detail records from her phone and

phone of the victim have been collected showing the conversation between the deceased and herself. The data from SIM cards had been retrieved which shows this fact. The petitioner prima facie responsible for abetting suicide by the victim who had died by hanging himself. Allegations against the petitioner are quite serious. Complainant is yet to be examined. There are chances of her absconding or intimidating the witnesses, if extended benefit of bail. It is, therefore, stressed that the petitioner is not entitled to be granted benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. The petitioner is alleged to have abetted suicide by the victim who had hanged himself as on 18.06.2025. It is a question to be considered on the basis of thorough assessment of the evidence to be produced during the trial as to whether ingredients for commission of offence under Section 108 of the BNS are attracted or not? The petitioner is in custody since 25.06.2025. The trial will take considerable time to conclude since only 04 out of 34 witnesses have been examined so far. There is no basis for the contention that she would intimidate the witnesses or may abscond. It is well settled proposition of law that the bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances but without meaning to make any comment on the merits of the case, lest the same prejudice the trial in any manner, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing personal as well as surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for

cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

19.12.2025

(MANISHA BATRA)
JUDGE

harjeet

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