

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-50343-2025 (O&M)****Date of Decision: 18.11.2025****MOHAMMAD NADEEM****...PETITIONER****V/S****STATE OF PUNJAB AND ANOTHER****...RESPONDENTS****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Sanjeev Kumar Bawa, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG Punjab.

Mr. Naveen Sharma, Advocate
for respondent No.2/complainant.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks anticipatory bail in FIR No. 0200 dated 09.08.2025 under Section 108 of Bharatiya Nyaya Sanhita, 2023, Police Station City 1 Malerkotla, Punjab. This is his first petition for anticipatory bail.
2. Complainant informed the police that his elder sister Palavi, who was 25 years of age, was doing nursing course from GNM Nursing Mata Gugri College, Badhrakha, District Sangrur. She had a love affair with Mohd. Nadeem son of Abdul Rashid resident of Chhota Khara, Bhumsi, Malerkotla, who often met her and made false promise of marriage. They used to talk with each other on mobile phone. Palavi told him and his mother about the love affair and they supported her. Day before, 08.08.2025, when he was in his shop and his mother was away for work, Palavi committed suicide by hanging. When he came home at about 03:30 hours, he saw Palavi hanging from the fan, upon which he raised alarm. People from the locality collected and Palavi was taken to the hospital where she was declared dead. He stated that Palavi



committed suicide due to abuse by Mohd. Nadeem son of Abdul Rashid on the false pretext of marriage. He refused to marry her and forced her to commit suicide. In this regard, his sister had written a text message in her mobile phone and he had taken screenshot of the same.

3. Learned counsel for the petitioner submits that petitioner had been falsely implicated in the FIR and had committed no offence. Referring to **Yadwinder Singh @ Sunny Vs. State of Punjab & Another, 2025 SCC Online SC 2332**, he argued that mere refusal to marry, even if it was taken to be true, did not amount to instigation or abetment of suicide. There was nothing on record that the petitioner nursed the requisite *mens rea* to push the deceased to commit suicide. It was urged that refusal to marry did not qualify such instigation or encouragement within the meaning of Section 306 IPC.

4. Learned State counsel opposed the prayer for anticipatory bail arguing that deceased had sent a text message to her sister regarding relationship with Mohd. Nadeem expressing that she was committing suicide on that account. Considering the seriousness of allegations, petitioner did not deserve the concession of anticipatory bail.

5. Learned counsel for complainant states that complainant has no objection, if prayer for anticipatory bail is allowed.

6. Antecedents of the petitioner are clean. He is ready and willing to join investigation. Whether the false promise and refusal to marry would constitute instigation or abetment within the meaning of Section 306 IPC would be moot point during the trial. In the circumstances of the case but without commenting on merits of the case, the application for anticipatory bail is allowed. Petitioner shall surrender before the Investigating/Arresting Officer and join investigation within one week or as and when required. In the event of



his arrest, the Investigating/Arresting Officer shall release the petitioner on anticipatory bail on his furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

- 7. The petition stands disposed of.
- 8. Pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

18.11.2025
Sumit Singla

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