

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M-51536-2025
Decided on: 02.12.2025

Shabana Mehta @ Jhanvi
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Ashu Rana, Advocate for
Mr. Mitul Singh Rana, Advocate
for the petitioner.

Mr. Sukhbir Singh, DAG Punjab

Mr. Vishal Thakur, Advocate
for the complainant

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.0243 dated 24.07.2025, under Section 108 of BNS at PS City Hoshiarpur, District Hoshiarpur.

2. On 12.09.2025, following order was passed:

“(i) Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Shabana Mehta @ Jhanvi, aged about 39 years	0243	24.07.2025	108 of BNS	City Hoshiarpur	Hoshiarpur

(ii) Learned counsel for the petitioner, inter alia, contends that in the present case, deceased, Rohit, committed suicide on 22.07.2025. Subsequently, an FIR



was registered by his sister, Shikha Devi, under Section 306 of the IPC (Section 108 of BNS). Petitioner is related as sister-in-law of the deceased, being the real sister of his wife. Rohit, who was a gym instructor, allegedly informed his sister during the first week of June 2025 that his in-laws had forcibly entered his house late at night, around 1:30 AM., and then informed that his brother-in-law Labhu Ram caught hold of his arms, his wife Ruby put chili powder in his eyes, his mother-in-law slapped him, and his father-in-law attempted to stab him with a knife intending to kill him. Sister-in-law (petitioner herein) was also mentioned as having connived with the others; however, no specific role was attributed to her by Rohit when he informed about the incident to his sister.

(iii) Counsel for the petitioner argues that allegations are vague and appear to have been made to implicate every family member for extraneous reasons. Notably, if any such incident had occurred in past, the deceased himself had never lodged any complaint. Additionally, no medical examination was conducted to substantiate the claim that chili powder was put in Rohit's eyes. Hence, the allegations cannot be accepted at face value, being made two months after the alleged incident. Even assuming the allegations to be true, they do not suffice to establish instigation to commit suicide by any individual. Consequently, no offence punishable under Section 108 of BNS is made out. Furthermore, there is neither any suicide note nor any incriminating chat or mobile messages to support the allegations levelled by the complainant in the FIR. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

(iv) Notice of motion.

(v) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

(vi) Adjourned to 02.12.2025.

(vii) Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(viii) Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial,



petitioner would seek prior permission of the Court.”

3. Learned counsel for the petitioner contends that in compliance to the order dated 12.09.2025 passed by this Court, the petitioner has joined the investigation on 31.10.2025.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 31.10.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 12.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

8. However, present order would be subject to the submission of her passport to the Investigating Agency or to Court concerned, if she possesses, within a period of one week from today. Otherwise, she would submit an affidavit, disclosing the fact that she does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

02.12.2025

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Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
~~YES~~/NO