

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221/2

CRM-M-53539-2025
Decided on: 02.12.2025

Radha Rani and others

.....Petitioners

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 petitioners.

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 petitioners, who have 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 25.09.2025, 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
(i) Radha Rani (ii) Subhash @ Subhash Chander (iii) Labhu Ram	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 IPC (Section 108 BNS).*

Petitioner No. 1, Radha Rani, aged 65 years, is related as the mother-in-law of the deceased. The allegation against her is that she gave a slap in the first week of June 2025.

Petitioner No. 2, Subhash @ Subhash Chander, aged 79 years, is related as the father-in-law of the deceased. The allegation against him is that he attempted to stab the deceased with a knife, with the intention to kill.

Petitioner No. 3, Labhu Ram, aged 33 years, is related as the brother-in-law (sala) of the deceased. According to the allegations, he caught hold of the deceased's arms while Ruby (the wife of the deceased) put chilli powder in his eyes.

All these incidents are alleged to have occurred somewhere in the first week of June 2025, while the suicide was committed on 22.07.2025. However, no complaint was ever made by the deceased during his lifetime, nor by other family members, including his sister Shikha Devi, explaining or raising allegations regarding the incident that took place in the first week of June 2025.

(iii) Counsel for the petitioners 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 chilipowder 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.

Counsel further submits that co-accused namely, Shabana Mehta @ Jhanvi has already been granted the concession of interim bail by this Court vide order dated 12.09.2025 passed in CRM-M-51536-2025 (P-4). Moreover, petitioners are 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 petitioners 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.



CRM-M-53539-2025

(vi) Adjourned to 02.12.2025.

(vii) Meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners 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 petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.

To be heard alongwith CRM-M-51536-2025.”

3. Learned counsel for the petitioners contends that in compliance to the order dated 25.09.2025 passed by this Court, the petitioners have joined the investigation on 31.10.2025.

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

5. Heard learned counsel for the parties.

6. Since, petitioners have already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 25.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The petitioners 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 their passport to the Investigating Agency or to Court concerned, if they possesses,

within a period of one week from today. Otherwise, they would submit an affidavit, disclosing the fact that they do 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:	YES/ NO
Whether Reportable:	YES /NO