



In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-16530 of 2026

Date of Decision: 27.03.2026

Veerpal Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Ms. Kiranjeet Kaur, Advocate
for the petitioner(s) (Through Hybrid Mode)

Ms. Gagandeep Kaur, Deputy Advocate General,
Punjab.

Mr. Divyansh Vats, Advocate
for the complainant.

Surya Partap Singh, J.

1. This petition for anticipatory bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No. 154 dated 24.10.2025, for the commission of offence punishable under Section(s) 108 of 'the Bharatiya Nyaya Sanhita, 2023' Police Station Mamdot, District Ferozepur, Punjab.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'Balaka Singh', hereinafter being referred to as 'complainant' only. It was stated by the above named complainant that the marriage of his son 'Sukhbir Singh' was solemnized

and that after some time of marriage, their relationship became sour, because ‘Veerpal Kaur’ used to frequently pick-up quarrels with his son, over trivial matters, and used to share every detail with her parents and relatives. According to complainant, due to above-mentioned behaviour of his daughter-in-law, his son ‘Sukhbir Singh’ was very upset. It was further stated by the complainant that one month ago, his son had come home on one month’s leave, and during that period, he was very upset.

3. In addition to above, the complainant also stated that two days before Diwali, ‘Gursewak Singh’, the brother-in-law of his son, visited their house and talked to his son in very insulting manner and threatened that he would file the FIR and implicate the complainant and his son ‘Sukhbir Singh’ in a case for cruelty for demand of dowry. As per complainant, Gursewak Singh also threatened ‘Sukhbir Singh’ that he would get him suspended. According to complainant, in the backdrop of above-mentioned developments his son, who was very upset, left home on 21.10.2025 at 06:00 P.M., and later on, his dead body was recovered from a canal. It was also stated by the complainant that in the phone of his deceased son, there was a video clip, wherein a suicide message was recorded.

4. It is the case of prosecution that in view of above-mentioned complaint, formal FIR of this case was lodged and the investigation taken up.

5. **Notice of motion.**

6. Since advance notice has already been served upon the State, Ms. Gagandeep Kaur, Deputy Advocate General, Punjab accepts notice on behalf of respondent-State. Hence, service of notice upon the State is hereby

dispensed with.

7. Mr. Divyansh Vats, Advocate has put in appearance on behalf of complainant and filed power of attorney. The same be taken on record.

8. Heard.

9. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. According to learned counsel for the petitioner, the petitioner has no nexus, whatsoever, with the commission of crime, and that she has been falsely implicated in the present case without any iota of evidence.

10. According to learned counsel for the petitioner the contents of FIR show that in the present case, the only reference with regard to the reason behind the commission of suicide is the sharing of events by the widow of the deceased with her parents and relatives. According to learned counsel for the petitioner, the above-mentioned allegation by no stretch of imagination can be treated a reason for suicide, and secondly there is no sufficient ground to draw an inference that there was any kind of abetment to commit suicide. While claiming that a false case has been planted upon the petitioner, the learned counsel for the petitioner has sought for the benefit of anticipatory bail for the petitioner.

11. The learned State Counsel being assisted by learned counsel for the complainant has controverted the above-mentioned arguments. It has been contended by learned State Counsel that in the present case, there is a video footage, wherein the deceased just, prior to his death, recorded a suicide message and in the above-mentioned suicide message, there are very specific allegations against the petitioner with regard to the fact that he was

mentally harassed to such an extent that he was left with no option, but to commit suicide.

12. While referring to the principles of law laid down by this Court in the cases of ‘Sudha alias Babli v. State of Haryana’ 2021(3) RCR (Criminal) 766 and ‘Lakhwinder Singh & Others v. State of Punjab’ [Criminal Appeal No. S-1455-SB of 2003, decided on 10.01.2003], the learned counsel for the complainant has contended that firstly the suicide message recorded by the deceased, who was a Soldier, serving in Indian Army, cannot be brushed aside lightly, and secondly, the allegations contained in the FIR, vis-à-vis the above-mentioned suicide message, are sufficient and good enough to draw an inference that the deceased was placed in such a tight corner that except to commit suicide, he was left with no other option.

13. The record has been perused carefully.

14. As far as the benefit of anticipatory bail is concerned, it is settled principle of law that the Court must be circumspect while exercising power for grant of anticipatory bail and it should not be granted as a matter of rule. Rather as per law the above said benefit should be granted only when the Court is convinced that exceptional circumstances exist for the extraordinary remedy.

15. With regard to use of discretion for grant of anticipatory bail, the Hon’ble Supreme Court of India in the case of ‘Srikant Upadhyay v. State of Bihar’ 2024 SCC OnLine SC 282’, has observed that power to grant anticipatory bail is extraordinary power, and that irrespective of the fact that in a number of cases, it has been held that bail is a rule, it cannot, by any

stretch of imagination, be said that anticipatory bail is a rule.

16. The Hon'ble Supreme Court of India in the above mentioned case has further observed that rule of anticipatory bail is a question of judicial discretion depending upon the facts and circumstances of each case. According to Hon'ble Apex Court, when called upon to exercise the above said power the Court concerned has to be very cautious, as the grant of interim protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation.

17. The Supreme Court of India in the case of 'Nikita Jagganath Shetty alias Nikita Vishwajeet Jadhav v. The State of Maharashtra and Another' [Special Leave Petition (Criminal) No. 10255 of 2024, decided on 21.07.2024], has observed that anticipatory bail is an exceptional remedy and it ought not be granted in a routine manner. As per the Hon'ble Supreme Court, there must exist strong reasons for extending indulgence of this extraordinary remedy to a person accused of grave offence.

18. Similarly, in the case of 'Gurbaksh Singh Sibbia etc. v. State of Punjab' 1980 SCC (2) 565, the Hon'ble Supreme Court of India held that:-

- a) The power under Section 438, Criminal Procedure Code, is of an extraordinary character and must be exercised sparingly in exceptional cases only.
- b) In addition to the limitations mentioned in Section 437, the petitioner must make out a special case for the exercise of the power to grant anticipatory bail.
- c) Where a legitimate case for the remand of the offender to the police custody under Section 167(2) can be made out

by the investigating agency or a reasonable claim to secure incriminating material from information likely to be received from the offender under Section 27 of the Evidence Act can be made out, the power under Section 438 should not be exercised.

19. A perusal of record shows that in the present case, there are very specific allegations against the petitioner, in the suicide message of the deceased, that she was one of the persons, who was responsible for creating such an inharmonious atmosphere in the marital life of the deceased that despite being a Soldier, he could not cope-up with the situation and within one year of marital life, committed suicide. In the above-mentioned given fact situation, the collection of evidence with regard to the role of the petitioner in the commission of offence is of utmost importance and for the above said purpose, custodial interrogation of the petitioner would be of great assistance for the Investigating Agency.

20. It shall not be out of place to mention here that right of custodial interrogation of the Investigating Agency is a valuable right and in the present case, if such right is denied to the Investigating Agency, it is likely to result into miscarriage of justice, as the investigation may not take a proper headway. Accordingly, it is hereby held that in view of the gravity of offence, and other mitigating circumstances, the petitioner is not entitled for benefit of anticipatory bail.

21. If the fact-situation of instant case is analyzed in the light of above-mentioned observations, it transpires that no such exceptional circumstances, warranting exercise of the jurisdiction to grant anticipatory

bail to the petitioner. Thus, it is hereby held that the present petition is devoid of merits deserves dismissal. Accordingly, the same is hereby **dismissed.**

22. It is, however, clarified that any observations made in the above-mentioned order shall not be construed as an expression of opinion on the merits of the case.

(Surya Partap Singh)
Judge

March 27, 2026
“DK”

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