



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-20957-2026 (O&M)

Date of decision: 02.07.2026

Avtar Singh and Anr

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. J.S. Mehndiratta, Sr. Advocate with
Ms. Tanveern Kaur, Advocate for the petitioners.
Mr. Gurdeep Singh, AAG, Punjab.

AARADHNA SAWHNEY, J (ORAL)**CRM-16555-2026**

Prayer in the instant application is for grant of exemption from filing certified/true typed/clear vernacular copies of Annexures P.1 to P.20 and for placing on record true typed/photo/downloaded copies thereof.

Allowed as prayed for, subject to all just exceptions.

Main case

1. This order shall dispose of present petition filed for grant of anticipatory bail filed by the petitioner, an accused in case FIR No.140 dated 10.10.2025 under Sections 85,80 and 61(2) of BNS registered at P.S IT City, SAS Nagar.

2. Learned State counsel, on instructions from ASI Avtar Singh, submits that the petitioners have joined the investigation and are not required for further custodial interrogation.

3. On 28.04.2026, following order was passed by this Court:

“The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding Section 438 of Cr.P.C.) for grant of anticipatory bail to the petitioners in case arising out of FIR No.140 dated 10.10.2025 registered under Sections 85, 80 and 61(2) of Bharatiya Nyaya



Sanhita, 2023 (Sections 498-A, 304-B, 120-B IPC) at Police Station IT City, SAS Nagar.

The present petition has been filed at the behest of father-in-law and mother-in-law of the daughter of complainant (since deceased). It is submitted by counsel for the petitioner that the marriage of the son of the petitioners took place with the complainant's daughter on 15.11.2021 and thereafter on account of their matrimonial discord, the deceased had filed a complaint under Protection of Women from Domestic Violence Act, 2005 and their son had also filed a petition under Section 13-A of Hindu Marriage Act, 1955 for dissolution of marriage. It is further submitted that in the ongoing dispute, the present petitioners disowned their son due to which he started living separately since 22.07.2023, however despite the same the deceased forcibly started living on the first floor of the house, which is owned by the petitioners and the same led to the filing of the Civil Suit by the petitioners seeking her eviction. It is a specific case of the petitioners that though the relations were not cordial between the couple but the petitioners had made every possible efforts to take care of the deceased (daughter-in-law) who was not keeping good health as she voluntarily refused to eat anything and for her well-being, the petitioners even called the police so as to ensure that she will take proper medical assistance. Learned counsel further submits that there has never been any demand of dowry much less any harassment by the present petitioners qua non fulfillment of alleged dowry demand. Learned counsel relies upon the medical report submitted by the learned State counsel which clearly records that there was no poison detected in the body of the deceased. It is further submitted that other co-accused i.e. Uncle (chacha) of petitioner's son had been granted bail by this Court whereas the Aunty (chachi-massi) of the petitioner's son had been granted the interim bail by the Hon'ble Apex Court.

Issue notice of motion.

Mr. Amandeep Singh Samra, AAG, Punjab accept notice on behalf of respondent-State.

At this stage, Mr. G.S. Ghuman, Advocate has put in appearance on behalf of the respondent/complainant who has vehemently opposed the grant of concession of bail to the petitioners and has



opened the arguments with the submission that the present petitioners are in the first line of relations of deceased's husband and have played a pivotal role and there are specific allegations in the FIR that the deceased was being tortured on account of being infertile as she was not able to give birth to a child. It is submitted that there was a demand of Fortuner car by the petitioner's son.

Learned counsel vehemently pointed out that it was specifically recorded in the FIR that petitioners bent upon to throw the deceased out of the matrimonial house on the pretext of some illness and the said factum was disclosed by the deceased to the complainant. Learned counsel further submits that in fact, on 09.10.2025, it was the complainant who had arranged the ambulance and took the deceased to the Civil Hospital, Phase-6, Mohali, however, later she was referred to GMCH, Sector 32, Chandigarh, where she was declared as brought dead. Learned counsel submits that the petitioners cannot seek parity with the other co-accused as the present petitioners were also added as respondents in complaint filed by the deceased invoking the provisions of Protection of Women from Domestic Violence Act.

Learned State counsel has also vehemently submitted that as the matter is yet at the initial stage of investigation, therefore, custody of the petitioners would be instrumental to get the requisite information and to check the veracity of the defence now being raised in the present petition. Learned State counsel assisted by counsel for the complainant have also raised an issue that transcripts now being relied upon by the petitioners are not part of the police report and investigation. Hence, cannot be considered at this stage. Learned State counsel has pointed out that as the death of the daughter of complainant has occurred within seven years of marriage and hence rigors of Section 304-B IPC is attracted. Moreso, the son of the petitioners are absconding from the process of law.

On specific query put to the counsel for the petitioners with regard to the surrendering of the petitioner's son (husband of the deceased), learned counsel has fairly submits that though he has informed the petitioner's son but he did not get any concrete and definite reply, as he wishes to seek his appropriate remedy in accordance with law.



Heard learned counsel for the parties at length.

Considering the fact that it is a specific case of the petitioners that son of the petitioners was living separately since 22.07.2023 and the deceased instead of living with her husband forcibly started residing at the first floor of their house for which the petitioner's son had taken appropriate steps almost two years ago from the date of the alleged incident. Moreso, considering the specific stand of the petitioners that they had made every possible effort to serve the meal and give proper medical assistance but the same was refused by the deceased which clearly demonstrates that there was no apparent threat of any dire consequences to the deceased. Moreso, the viscera report clearly records that no poison was found in the body of the deceased. However all these facts shall be examined by the Court at an appropriate stage of trial.

Considering the above and age of the petitioners, the petitioners are directed to join the investigation on 04.05.2026 at 10:00 A.M. before the Investigating Officer and to cooperate with the Investigating Agency thereafter.

In the event of his arrest, the petitioner shall be released on interim bail, subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 482, BNSS, 2023.

Adjourned to 20.05.2026.

Liberty is granted to the State to file an appropriate application in case they require the custody of the petitioner for any cogent reason.

It is, however, made clear that this order shall not be construed as parity qua any other co-accused."

4. Keeping in view the above submissions advanced by learned counsel for the petitioner as also the fact that the petitioners have joined the investigation, interim bail granted vide order dated 28.04.2026 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the

petitioner; they will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

5. The petition stands allowed.

02.07.2026
manoj

(AARADHNA SAWHNEY)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No