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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(207)

CRM-M-28562-2026 (O & M)

Date of decision: 03.07.2026

Ritu Bala

..... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Aditya Anand, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 BNSS (Section 438 Cr.P.C.) is for the grant of anticipatory bail to the petitioner in case FIR No.80 dated 11.03.2026 under Section 108 BNS, 2023 (Section 306 IPC) registered at Police Station City Kapurthala, District Kapurthala.

2. The present FIR came to be registered at the instance of Poonam and reads as under:-

Stated that I am a resident of the above-mentioned address and do household work. My husband does the work of truck driving. I have 05 children; the eldest is Suraj, younger to him are Chahat, Saloni, Naina and Love Nahar. My son Suraj Nahar was educated up to 8th class and his age was about 27 years. He used to do plumbing work. Reetu Bala daughter of late Lakh Raj resident of Bankside Brahmikund Mandir, Police Station City Kapurthala used to have friendship with my son Suraj Nahar and she had relations with my son for about 1½ years.

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Reetu Bala used to blackmail my son and used to take money from him. Now about 15 days earlier Reetu Bala was demanding Rs. 02 lakhs from my son regarding which my son had told me, but later my son came to know that Reetu Bala is a married woman whose divorce with her husband had not taken place. On dated 10-03-2026 my son in the evening time was in much tension, whom I asked, what is the matter, then my son Suraj Nahar told me that Reetu Bala gives him threats that if he did not give her Rs. 02 lakhs then she will get a rape case registered against him, and my son was in very much shock. I told my son that there is no issue, in the morning we will talk with Reetu Bala in a panchayati manner. Last night my son went and slept in the upper room and I along with my family slept in the lower portion of the house. On dated 11-03-2026 at about 1:00 AM, boy Piyush called me on phone that your son is doing some movement in the room, you get up and see, then I went upstairs through the stairs and my son had closed the stair door. Then my younger son Love Nahar opened the stair door and when I went into the room then my son Suraj Nahar had hanged himself with the ceiling fan by using the bed sheet. I quickly woke up my husband Nachhattar Singh and my son Chahat and took down my son from the fan and saw that my son had died. I checked my son's mobile phone in which my son before dying had made a video that I am committing suicide after being troubled by Reetu Bala, Reetu Bala is responsible for my death. Due to Reetu Bala blackmailing my son, giving threats of getting a rape case registered and demanding Rs. 02 lakhs, my son being troubled by Reetu Bala committed suicide by hanging himself. I have come to know that relatives of Reetu Bala also used to give threats to my son on phone regarding which after inquiry I will get their names and addresses written later on. Then I informed the police station. Police officials

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came at the spot who inspected the spot. We kept the dead body of my son at Civil Hospital Kapurthala and I have informed my relatives regarding this incident. Now I along with my son Chahat have myself come to the police station for giving information. I have tendered my statement. Heard. It is correct.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. To attract the offence of abetment to suicide it is of paramount importance to establish proof of direct/indirect act of instigation or incitement in close proximity to the commission of suicide. In the present case, the undertakings dated 13.10.2025 (Annexure P-2) and 27.10.2025 (Annexure P-3) would reveal that it was the deceased who had been asked not to contact the petitioner, harass her or call her and not the other way round. As the petitioner is ready and willing to join the investigation, she is entitled to the concession of anticipatory bail.

4. The learned counsel for the State, on the other hand, while referring to the status report dated 30.06.2026 contends that the complainant-Poonam checked the mobile phone of her son in which her son, immediately before committing the suicide had made a video that he was committing suicide after being harassed by the petitioner who was blackmailing him for money failing which he would be implicated in a rape case. The act and conduct of the petitioner would amount to active instigation and abetment compelling the deceased to take the extreme step. As the offence is *prima facie* established and the investigation is to be taken

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to its logical conclusion, the custodial interrogation of the petitioner is certainly required and therefore, the present petition is liable to be dismissed.

5. I have heard the learned counsel for the parties.

6. The Hon'ble Supreme Court in the case of '**Sumitha Pradeep Vs. Arun Kumar C.K. & Anr. 2022(4) RCR (Criminal) 977**', has held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the *prima facie* case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

“It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

*We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. **In many anticipatory bail***

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matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”

7. The relevant extract of the reply dated 30.06.2026 filed by way of an affidavit of Dr. Sheetal Singh, PPS, Deputy Superintendent of Police, Sub Division, Kapurthala, enumerating the role of the petitioner is reproduced as under:-

5. ROLE OF PETITIONER: That the role attributed to the present petitioner is grave and direct in nature, as she remained in close friendship with the deceased Suraj Nahar for the last about 12 years and continuously blackmailed and harassed him

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for money. It has specifically come on record that about 15 days prior to the occurrence, the petitioner demanded an amount of Rs.2 lakhs from the deceased and threatened that in case the amount was not paid, she would implicate him in a false rape case. Due to the constant threats, pressure and mental harassment caused by the petitioner, the deceased remained under severe stress and trauma. Immediately prior to the occurrence, the deceased disclosed the said threats to his mother/complainant. Further, before committing suicide on 11.03.2026, the deceased recorded a video specifically holding the petitioner responsible for his death. Thus, the acts and conduct of the petitioner clearly reveal active instigation and abetment which directly compelled the deceased to take the extreme step.

8. As per the prosecution case, the deceased had been driven to commit suicide as the petitioner was demanding an amount of Rs.2 lacs from him failing which she would implicate him in a false rape case. These allegations would *prima facie* amount to abetment and the video itself has been made on 11.03.2026 immediately before the deceased committed suicide. Therefore, the offence is *prima facie* established. Further, the investigation is to be taken to its logical conclusion for which the custodial interrogation of the petitioner is certainly required.

9. In view of the above, I find no merit in the present petition and the same stands dismissed.

10. However, it is made clear that the observations made in this order are only for the purpose of deciding this bail application and the Trial

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Court is free to adjudicate upon the matter on the basis of the evidence led before it uninfluenced by any such observations made.

11. The pending application(s), if any, shall stand disposed of accordingly.

July 03, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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