



CRM-M-28477-2026 (O&M)

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**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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CRM-M-28477-2026 (O&M)

Date of order: 22.05.2026

HARPAL KAUR

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Hitesh Chopra, Advocate
for the petitioner. (through video conferencing)

Mr. Gurdeep Singh, AAG Punjab.

SHALINI SINGH NAGPAL, J.(ORAL)

1. Petitioner seeks regular bail in case arising out of FIR No.117 dated 26.06.2025 under Sections 108, 3(5) and 238 of BNS, Police Station Shri Hargobindpur, District Gurdaspur. This is the first petition for regular bail.
2. Case was registered on complaint of Amrik Singh son of Joginder Singh, father of deceased, who stated that his daughter Harmeet Kaur was married with Tripat Singh, 19 years ago. For about 5/6 years Tripat Singh behaved well but later, he developed illicit relationship with a woman Harpal Kaur. Regarding this, his daughter had informed him and his wife but they kept ignoring the matter to save her matrimonial life. As his daughter opposed the relationship, Tripat Singh repeatedly assaulted Kamaljit Kaur and threw her out of the house. His daughter come to his home but his son-in-law's sister namely Amarjit Kaur and his brother-in-law would advise and take her back. On 25.06.2025 at 2:00 PM, Kamaljit Kaur called her younger sister from her



mobile and told her that she was consuming poison to end her life, fed up with the illicit relationship of Tripat Singh and Harpal Kaur.

3. Learned counsel for the petitioner submits that the main accused, husband of deceased, was allowed regular bail by this Court vide order dated 30.04.2026. Investigation of the case was complete. As per allegations, deceased committed suicide after 19 years of marriage, on the suspicion that her husband was in illicit relationship with the petitioner. Even if the allegations in the FIR were accepted as correct, no ingredient of the offence under Section 108 of BNS was made out as there was neither any instigation nor any incitement on part of the petitioner to compel the deceased to commit suicide. The petitioner had no *mens rea* to commit the offence. The story in the FIR was cooked up by father of the deceased who was unhappy with the marriage of his daughter, which was a love marriage. It is prayed that petitioner be enlarged on regular bail.

4. Learned State counsel has opposed the prayer for regular bail on the ground that act and conduct of the petitioner incited the deceased to commit suicide. The case was at initial stage. Petitioner was in custody for only 4 months and 29 days and it was too early to release her on bail. It was prayed that prayer for bail deserved to be declined.

5. Petitioner is behind bars w.e.f. 22.12.2025, her antecedents are clean and she is not stated to be involved in any other case. Investigation of the case is complete. Co-accused Tripat Singh has been enlarged on regular bail. Petitioner has roots in the society and the Court has no reason to suspect that the petitioner would obstruct the course of justice or evade the process of law.

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Whether or not the ingredients of offence under Section 108 of BNS would be attracted in the facts of the case would be moot point during the trial, to be determined only on conclusion thereof. Considering the period of incarceration on the ground of parity, but without commenting on merits, petitioner is ordered to be released on regular bail subject to her furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

6. All the pending miscellaneous applications, if any, stand disposed of.

May 22, 2026*Ajay Goswami***(SHALINI SINGH NAGPAL)
JUDGE**

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