



CRM-M-32145-2025(O&M)

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(212)

1. **CRM-M-32145-2025(O&M)**
Date of Decision: 01.08.2025

BAKSHISH KAUERPetitioner

Versus

STATE OF PUNJABRespondent

2. **CRM-M-33114-2025 (O&M)**

RAJWINDER KAUERPetitioner

Versus

STATE OF PUNJABRespondent

3. **CRM-M-32236-2025(O&M)**

JASWINDER KAUER ALIAS KULWINDER KAUERPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Karamjeet Singh, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. K.P.Raheja, Advocate
for the complainant.

KIRTI SINGH, J. (ORAL)

1. Since all the three petitions arise from a common FIR, hence they are amenable to be decided through a common verdict being made thereon.



2. All the petitions have been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail in FIR No.69 dated 30.05.2025, under Section 80 of the BNS, registered at Police Station Khuian Sarwar, District Fazilka.

3. The contents of the aforesaid FIR are reproduced herein below:-

“Statement of Iqbal Singh son of Dalip Singh son of Balaka Singh, resident of village Dalmir Khera, PS Khuiya Sarwar, district Fazilka, age about 56 years, phone number 89686-08092, stated that I am a resident of the above address and work as an MTS in the postal department at Nihal Khera. I was married about 30 years ago to Preetpal Kaur, daughter of Surjit Singh, resident of Bhalaiyana, from the marriage I have two children, a girl xxxx, age about 19 years and a younger son Simranjit Singh, age about 18 years, who was born handicapped. My daughter xxx was married on 06-04-2025 to Lovedeep Singh, son of Sukhdev Singh, resident of Baja police station Bariwala, according to Sikh customs and I had also given dowry to my daughter according to my capacity. 8/10 days after the marriage My daughter's husband Lovedeep Singh, father-in-law Sukhdev Singh son of Harnam Singh, mother-in-law Paramjit Kaur wife of Sukhdev Singh, sister in law Rajwinder Kaur and aunt in law Jaswinder Kaur wife of Rashpal Singh, Fauji residents of Baja, police station Bariwala, district Sri Muktsar Sahib and aunt in law Bakshish Kaur wife of Hira Singh, a resident of Sarawa Bodla, police station Kabarwala, district Sri Muktsar Sahib started harassing my daughter as to why she did not bring the vehicle in the dowry. Whenever my daughter would touch any of the household items, her sister in law would say, "Did you bring this from your parental?" and would snatch the items from her hands. Regarding this, my daughter talked to me, so at the request of my daughter, I talked to the mediator Balvir Singh son of Kirpal Singh, a resident of Wattu, district Sri Muttsar Sahib, who further explained to my daughter's in-laws that whatever status they had, they have already given you the dowry, now they can't give you the car. But even after saying this, my daughter's in-laws did not agree and remained stubborn. When we could not fulfill the demand of my daughter's in-laws for a car, daughter's husband Lovedeep Singh son of Sukhdev Singh resident of Baja left my daughter xxxx at my house in village Dalmir Khera a month ago and said that the day you give me the car, I will take your daughter, otherwise keep your daughter at your house. Whenever my daughter called her husband Lovedeep Singh about taking him, he continued to be stubborn. On which I also tried to talk to my daughter's father-in-law Sukhdev Singh and mother-in-law Paramjit Kaur, who also said that we will talk only after getting the car. Lovedeep Singh etc. had also stopped picking up my daughter's phone, due to which my daughter Sharanjit Kaur got fed up and drank the spray on 26-05-2025 at around 9:30. When I saw it, my daughter was lying down and there was a liter of spray near her. When I asked my daughter, she told me that I had drunk the spray because I was fed up with my in-laws. I quickly arranged a vehicle and took my daughter to the Civil Hospital Abohar for treatment. Where the doctor treated my daughter and referred her for higher treatment. Then I took my daughter to Ares Hospital Sri Ganganagar for treatment where the doctor treated my daughter and during the treatment there, Dr. Ankit Leela also found a suicide note on my daughter's side. Now, during the treatment, my daughter died at Aros Hospital Sri Ganganagar on 29-05-2025. My daughter xxxx has ended her life due to the harassment by her in-laws, husband Lovedeep Singh, father in law Sukhdev Singh son of Harnam Singh, mother-in-law Paramjit Kaur wife of Sukhdev Singh, sister in law



Rajwinder Kaur and aunt in law Jaswinder Kaur wife of Rashpal Singh, Fauji residents of Baja, police station Bariwala, district Sri Muktsar Sahib and aunt in law Bakshish Kaur wife of Hira Singh, a resident of Sarawa Bodla, police station Kabarwala, district Sri Muktsar Sahib. Legal action be taken against them. Statement has been recorded to you.”

4. Learned counsel for the petitioner submits that the petitioners are *Bua-saas*, sister-in-law and *tayi saas* of deceased and have been falsely implicated in the present case. Qua the sister-in-law, it is submitted that the 25 year old had cordial relations with the deceased, and had no interference in the matrimonial life of her brother. Insofar as the *Bua-saas* aged 68 years and the *tayi-saas* aged 49 years are concerned, they had been residing at their respective matrimonial homes and had nothing to do with the matrimonial life of the deceased. It is submitted that the deceased, whose marriage was solemnized with her husband on 6.4.2025, was dropped by her husband at her parental house on 3.5.2025 on her asking, where she resided for about one month prior to her unfortunate death on 26.5.2025. Learned counsel submits that no ingredients as essential for an offence under Section 80 BNS, 2023 are made out against the present petitioners. In this regard, reliance is placed upon the judgments passed by the this Court in **CRM-M-47021-2022**, titled as *Manisha Ranjan Patel versus State of Haryana*; **CRM-M-24361-2021**, titled as *Dr. Ajay Kumar Harit versus State of Haryana*; and **CRM-M-2833-2023** titled as *Shubam Vs. State of Punjab*. The petitioners have clean antecedents and are willing to co-operate in the investigation.

5. Learned counsel for complainant has vehemently opposed the submissions advanced by learned counsel for the petitioner and submits that there are specific allegations against the petitioners, all of whom were specifically named in the suicide note written by the deceased. He has placed reliance on judgments passed by the Apex Court in *SLP (Criminal) No.*



15156 of 2024, titled as ***Shabeen Ahmad versus The State of Uttar Pradesh and another***, reported in **2025 INSC 307** and ***Criminal Appeal No.368 of 1990***, titled as ***Smt. Shanti Vs. State of Haryana***. Further reliance has been placed on the judgments passed by this Court in ***CRM-M-37734-2018 and CRM-M-36330-2018*** titled as ***Naveen and another Vs. State of Haryana*** and in ***CRM-M-48043-2024*** titled as ***Ramandeep Kaur Vs. State of Punjab***.

6. Status report dated 31.07.2025 has been filed by learned State counsel, in Court today, which is taken on record. Learned State counsel, while relying upon the contents of said status report, submits that the present case pertains to the unnatural death of a young married woman (deceased), allegedly due to sustained cruelty and harassment in connection with dowry demands. The petitioners, all of whom have been named in the FIR and even in the suicide note left by the deceased, played an active role in subjecting the deceased to mental and physical torture, particularly by pressurizing her to bring additional dowry in the form of a vehicle. The post-mortem examination of the deceased has been conducted, however, the final opinion regarding the cause of death is awaited pending receipt of the viscera report from the office of the Chemical Examiner, Punjab, which is expected on 12.08.2025. The suicide note was sent to the Forensic Science Laboratory, Mohali, and the report of the same dated 22.07.2025 confirms that the features of the contents of the questioned writing in the suicide note when compared with the standard writing of the deceased lead to the opinion of their common authorship. It is only the signatures of the deceased qua which a conclusive opinion could not be formed due to lack of comparative material, and for that efforts are underway to procure the necessary documents. In view of serious allegations levelled against the petitioners, they do not deserve the concession of anticipatory bail.



7. Heard the contentions advanced the learned counsel for the parties and perused the judicial file.

8. In ***Srikant Upadhyay and others vs. State of Bihar and another, 2024 (INSC) 202 (SC)***, Hon'ble Supreme Court held as under:

*“It is thus obvious from the catena of decisions dealing with bail that even while clarifying that arrest should be the last option and it should be restricted to cases where arrest is imperative in the facts and circumstances of a case, the consistent view is that the grant of anticipatory bail shall be restricted to exceptional circumstances. In other words, the position is that the power to grant anticipatory bail under Section 438, Cr.P.C. is an exceptional power and should be exercised only in exceptional cases and not as a matter of course. Its object is to ensure that a person should not be harassed or humiliated in order to satisfy the grudge or personal vendetta of the complainant. (See the decision of this Court in *HDFC Bank Ltd. v. J.J.Mannan & Anr. 2010 (1) SCC 679*).*

*Further, it was clearly observed in para NO. 24 of the judgment (supra) that “**though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule.** It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case. While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence. We shall not be understood to have held that the Court shall not pass an interim protection pending consideration of such application as the Section is destined to safeguard the freedom of an individual against unwarranted arrest and we say that such orders shall be passed in eminently fit cases. At any rate, when warrant of arrest or proclamation is issued, the applicant is not entitled to invoke the extraordinary power. Certainly, this will not deprive the power of the Court to grant pre-arrest bail in extreme, exceptional cases in the interest of justice. But then, person(s) continuously, defying orders and keep absconding is not entitled to such grant.”*

9. In ***Sushila Aggarwal v. State (NCT of Delhi) (2018) 7 SCC 731***, the Constitution Bench reaffirmed that when considering applications for anticipatory bail, Courts should consider factors such as the nature and gravity of the offences, the role attributed to the applicant, and the specific facts of the case.

10. The general rule, put tersely, may be of bail, no jail; however, a just exception may be taken where there are circumstances which might thwart the course of justice. The antecedents of the accused or the probability of the accused fleeing, intimidating witnesses or tampering with the evidence, inter alia, weigh in heavy before the Court when dealing with a petition for the grant of anticipatory bail.



11. The judgments relied upon by learned counsel for the petitioners are distinguishable from the facts of the present case, as in the instant matter, there exists a suicide note wherein the petitioners have been specifically named by the deceased, attributing to them acts of harassment and cruelty which allegedly led to her death.

12. *Prima facie*, there are serious allegations against the petitioners of subjecting the deceased to harassment for dowry. The deceased, who was about 19 years of age and had been married for less than 2 months, in her suicide note specifically named all the accused-petitioners. As per the FSL report dated 22.07.2025, the features of the contents of the questioned writing in the suicide note when compared with the standard writing of the deceased, lead to the opinion of their common authorship. The post-mortem report has been received, however, the final opinion regarding the cause of death is awaited pending receipt of the viscera report from the Chemical Examiner, Punjab. Under such circumstances, this Court is not inclined to grant the discretionary relief of anticipatory bail to the petitioners in the present case, wherein custodial interrogation of the petitioners might be required to unearth the true dimension of the alleged occurrence.

13. In the light of the foregoing discussion, all the instant petitions are dismissed.

14. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

01.08.2025

Kavita

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