



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-50844-2025(O&M)
Date of decision: 15.10.2025

PRIYANKA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present : Mr. S.K.Choudhary, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, Sr. DAG, Punjab.

KIRTI SINGH. J.(Oral)

The jurisdiction of this Court has been invoked under Section 483 BNS Act for grant of regular bail to the petitioner in case FIR No.103 dated 08.12.2024, under Sections 108, 61(2) of BNS, registered at Police Station Shahpurkandi, District Pathankot.

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

“Statement of Munish Kumar son of Keval Krishna Resident of Jhikla Doong Police Station Shahpurkandi District Pathankot Age about 27 years, Mobile No.xxx Stated that I am a resident of the said address and doing private job, we are two brothers and two sisters, my elder sister xxx was married about 14 years ago to Amandeep Gupta alias Sahil, son of Joginder Pal Gupta, resident of Chak Madho Singh. My sister had two children out of which the elder daughter is 10 years old and the younger son is about 6 years old. For about 4 years, my brother- in-law Amandeep Gupta above-mentioned had illegitimate relation xxx daughter of Ashwani resident of ward No. 10 Karam Singh Mohalla Division No. 1



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Pathankot, and my sister used to stop my brother-in-law Amandeep Gupta from this work, but my brother-in-law did not stop. My brother-in-law is doing the work of dental in the Jugail market on 4 December 2024 above-mentioned was at his shop and my sister went to his shop then in the shop, xxx and her mother xxx @ xxx were also sitting inside, so my sister asked my brother-in-law that what this mother and daughter our doing here? Then my brother-in-law Amandeep, xxx, xxx, in connivance with each other, gave beating my sister and the three said that leave from here or why don't you die, three of them pushed my sister out of the shop and my sister walked from the shop to her village Chak Madho Singh on foot. It was around 3 o'clock in the afternoon when my sister reached near Ahda Kuh she took some poisonous medicine from some shop, being sad from Amandeep Gupta alias Sahil, xxx alias xxx and xxx above-mentioned tried to end her life by consuming some poisonous medicine, on which the passerby by arranging a vehicle took her to hospital for treatment, where Dr. Sahib due to her condition told the passerby take her to some of the hospital then passerby after averaging the vehicle took my sister to Satguru Kirpa hospital Chak Madho Singh, where Dr Sahib admitted my sister for treatment, then on 6.12.2024, my sister's condition worsened and she was referred to Amandeep Hospital, where she died today during treatment. All this was told to me by my sister on 04.12.2024, who died today during treatment at Amandeep Hospital, Pathankot. My sister xxx is fed up with Amandeep Gupta @ Sahil, xxx @ xxx and xxx @ xxx above-mentioned and has ended her life because she could not tolerate her insult. Legal action should be taken against Amandeep Gupta alias Sahil, xxx alias xxx and xxx.”

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of a complaint made by the brother of the deceased, alleging that the petitioner had illicit relations with the husband of the deceased. It is contended that there is no material on record to show that the petitioner had instigated or abetted the commission of suicide by the deceased, which is a sine qua non for invoking Section 306 IPC. It is further submitted that the co-accused has already been granted regular bail by this Court vide order dated 26.05.2025 passed in CRM-M-634-2025. The complainant has



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since been examined, and he has turned hostile before the learned trial Court. The petitioner has undergone an actual custody of 10 months and 05 days. She has clean antecedents and there is no other case registered against her.

4. Per contra, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioner. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 10 months and 05 days and there is no other case registered against the present petitioner. He on instructions from ASI Sunil Kumar, submits that the charges were framed on 30.04.2025 and out of a total of 22 prosecution witnesses, only 01 witness i.e. complainant stands examined till date, though four witnesses have been given up. He, however, submits that in view of the serious allegations against the petitioner, petitioner is not entitled to the concession of regular bail.

5. Heard the rival submissions made by learned counsel for the parties.

6. From a perusal of the case in hand, it transpires that the petitioner is behind the bars since 09.12.2024. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not made much progress, as charges were framed on 30.04.2025 and out of a total of 22 prosecution witnesses, only 01 witness i.e. complainant stands examined till date, though four witnesses have been given up. Co-accused has already been granted regular bail by this Court vide order dated 26.05.2025 passed in CRM-M-634-2025. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the petitioner in further detention without the prospect



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of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in *“Dataram Singh vs. State of Uttar Pradesh and another”*, (2018) 3 SCC 22.

7. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (I) The petitioner will not tamper with the evidence during the trial.
- (II) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (III) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (IV) The petitioner shall not commit an offence similar to the offence of which he is accused of, or for commission of which he is suspected.
- (V) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed



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independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

10. Pending application(s), if any, also stands disposed of accordingly.

15.10.2025

Kavita

**(KIRTI SINGH)
JUDGE**

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