



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46957 of 2025(O&M)

Reserved on: 25.09.2025

Date of Order:26.09.2025

Khairun Nisha

..Petitioner

Versus

State of Punjab

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Ishan Gupta, Advocate, for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG, Punjab

Ms. TaniaMahajan, Advocate

Mr. Akshit Grover, Advocate, for the complainant.

SHALINI SINGH NAGPAL, JUDGE

Petitioner seeks regular bail in case vide FIR No.109, dated 14.07.2025, under Sections 108, 61(2) of Bhartiya Nyaya Sanhita (BNS), 2023, Police Station Tibba, District Police Commissionrate, Ludhiana. This is her first petition for regular bail.

Complainant-Mohd. Firoz Alam alleged that his daughter Ayesha Noori alias Arzoo was married with Ambar Raja 13 years ago and the couple had three children. At the time of marriage, he had given sufficient dowry articles, gold and silver jewellery etc. Yet, the boy's family demanded Rs.2,50,000/- from him and he gave them Rs.2,00,000/- in cash at the time of marriage. After some time, his daughter's husband, mother-in-law, sister-in-law again raised demand of Rs.50,000/- and started harassing her for bringing more money. Ayesha Noori alias Arzoo was thrashed and



sent to the parental home. He arranged Rs.50,000/- and gave it to the groom's family. Several times panchayats were convened. His daughter was turned out and every time she was sent back to the matrimonial home. Ambar Raja was addicted to alcohol and gambling. He thrashed his daughter, extended threats of divorce and demanded money. 5-6 days before Eid, Ambar Raja took Rs.30,000/- from him as loan and whenever he demanded the money back, he beat up his daughter. He also had illicit relations with other women. He was instigated by his mother Khairun Nisha and sister Naseema Khatoon. The day before, on 13.07.2025, his daughter informed that Ambar Raja and his mother-in-law were quarreling and abusing her. When he reached the house of his daughter at 04:00 PM, he saw a crowd and learnt that Ambar Raja left home after abusing his daughter and her mother-in-law told her to go and die. Fed-up with her husband and mother-in-law, his daughter jumped from the roof of the house and died. He alleged that his daughter died due to demand of money, quarrels and beatings by her husband, mother-in-law, sister-in-law.

Learned counsel for the petitioner argued that the marriage was 13 years old and the allegation against the petitioner was that she used to instigate her son to thrash the deceased and raised demands of dowry. It was argued that even if the allegations levelled against the petitioner in the FIR were accepted as correct, the ingredient of Section 306 IPC were not made out as there was nothing to show that petitioner, in any manner, instigated the deceased to commit suicide. He further submitted that to attract the offence under Section 306 IPC, presence of clear *mens rea* was essential and not every kind of harassment could amount to abetment of suicide.



Learned State counsel has placed on record custody certificate of the petitioner. He, assisted by Ms. Tania Mahajan, learned counsel for the complainant, opposed the prayer for bail, arguing that there were direct allegations against the petitioner, who used to tell the deceased to go and die, fed up with which she jumped from the roof of the house. It was submitted that the allegations being serious, petitioner did not deserve the benefit of bail.

Petitioner is in judicial custody in the case for the last more than two months. Whether or not the alleged acts of the petitioner constitute the offence of abetment of suicide punishable under Section 306 IPC is a matter of trial. Antecedents of the petitioner are clean. She is not involved in any other case. There is no reason to believe that she would evade the process of law. Trial may take some time to conclude. Considering the over all facts and circumstances of the case, 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.

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

(SHALINI SINGH NAGPAL)
JUDGE

26th September, 2025

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