



**201 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-19101-2026 (O&M)

Reserved on 01.05.2026

Pronounced on 04.05.2026

Uploaded on 04.05.2026

KULDIP KAUR

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Argued by: Mr. Japjit Singh Johal, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG Punjab.

Mr. Jasinder Singh Sekhon, Advocate
for the complainant.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks anticipatory bail in FIR No. 45 dated 10.03.2026 under Section 108 Bharatiya Nyaya Sanhita, 2023, Police Station Mehtiana, District Hoshiarpur. This is his first petition for anticipatory bail.

2. Complainant Harinder Singh reported that his aunt (bua) Kulwinder Kaur wife of late Surinder Singh lived in Village Dhakowal. She started building a new house in October 2025 but when the lintel was erected, Kuldip Kaur daughter of Pathar Singh cousin of Kulwinder Kaur filed an appeal in the Sessions Court to get stay regarding the house, which was pending. The house was within the lal dora. Though the case was pending in the Court, Kuldip Kaur used to visit village Dhakowal and mentally harassed, abused and threatened to kill his aunt. 4 days ago, Kuldip

Kaur daughter of Pathar Singh came to village Dhakowal, abused Kulwinder Kaur and threatened to kill her. From that day, his aunt Kulwinder Kaur was very disturbed. On 09.03.2026 at 04:30 PM, she tied a rope to the wooden beam in the ceiling and ended her life by hanging herself. The body was brought down. Suicide note was found lying next to her which was written in the hand of Kulwinder Kaur. She stated therein that she ended her life, upset by the mental harassment, abuses and life threats given by Kuldip Kaur daughter of Pathar Singh.

3. Learned counsel for the petitioner submits that petitioner was 64 years old, single lady. Petitioner and deceased were both cousin sisters and were co-sharers in plot wherein deceased was raising construction. Petitioner's mother filed a suit for declaration regarding the property. Later, petitioner filed a suit for separate possession by way of partition of the joint residential property and for permanent injunction against deceased. Petitioner was falsely implicated in the FIR and had no role in commission of offence. Even if the allegations were accepted as correct, there was neither any abetment nor instigation by the petitioner within the meaning of Section 45 BNS and offence under Section 108 BNS was not made out. Petitioner had no *mens rea* to commit the offence. She did nothing to instigate or aid in commission of suicide. Petitioner, who had clean antecedents was ready and willing to join investigation.

4. Mr. Jasinder Singh Sekhon, Advocate appears on behalf of complainant and files his vakalatnama, which is taken on record.

5. Status report by way of affidavit of Palwinder Singh, PPS, DSP, Sub Division Chabbewal, District Hoshiarpur has been filed by State of Punjab, which is taken on record. Learned State counsel, assisted by learned

counsel for the complainant, opposed the prayer for anticipatory bail referring to the suicide note to submit that petitioner's act and conduct led deceased to commit suicide as she had been threatening the deceased with dire consequences and made her fearful.

6. Learned counsel for respondent No.2 added that application under Order XXXIX Rule 1 and 2 CPC filed by the petitioner in the civil suit was dismissed by learned Additional Civil Judge (Senior Division), Hoshiarpur and petitioner filed an appeal against the order. The suicide note disclosed role of the petitioner in the suicide by Kulwinder Kaur and given the serious nature of allegations, petitioner did not deserve the concession of anticipatory bail.

7. Admittedly, there was a civil dispute pending between the parties, relating to joint property. Petitioner who was denied injunction by learned Additional Civil Judge (Senior Division), Hoshiarpur was pursuing her legal remedy. She is 64 years old single lady. Whether her act and conduct, as narrated in the suicide note, amounts to instigation or incitement to commit suicide would be moot point during the trial. Whether the petitioner had requisite *mens rea* to commit the offence under Section 108 BNS would also be debatable. Petitioner has clean antecedents. Nothing is to be recovered from her possession.

8. In the given facts and circumstances of the case, the petition for anticipatory bail is allowed. Petitioner shall surrender before the Investigating/Arresting Officer and join investigation within one week or as and when required. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on anticipatory bail on her furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide

by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

9. Pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

04.05.2026

Sumit Singla

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No