

**CR MISC. CASE NO. 268/2026**  
**In the Court of Sessions Judge, Hooghly**

**Present:** Sri D. Santra (J.O Code WB000955 )  
Sessions Judge(I/C), Hooghly.

Order No. 03 dated 13/03/2026

This is an application under section 483 of BNSS filed by the petitioners namely **1) Aspia Khatun 2) Yasmira Begam** in connection with Pandua P.S. Case No. 1001/2025 dated 30/12/2025 under sections 126(2)/115(2)/108/61/351(2)/352/ 3(5) of BNSS..

C.D. and L.C.R. are produced.

Ld. P.P., Hooghly concedes to the submission of the Id. Advocate of the petitioners that neither any bail application under section 483 of BNSS is pending before the Hon'ble Court nor any such prayer has been rejected by the Hon'ble Court in respect of these petitioners.

Heard the Id. advocate of the petitioners who has submitted that co-accused person is enjoying bail. It is further submitted that the allegation made out in the FIR is that of refusal by the daughter-in-law (petitioner No.1 herein) to continue marital life with the son of the de facto complainant and thereafter matrimonial discord arose and there was alleged demand from the side of the petitioners to transfer the landed properties of the de facto complainant in favour of petitioner No.1. It is further pointed out that the FIR reveals allegation of abetment of suicide by saying that "if the deceased does not die then there would be no scope for happy matrimonial life between the petitioner No.1 and her husband". It is argued by the Id. advocate that the fact as alleged in the FIR, on its face does not constitute a case of abetment of suicide. To buttress his contention Id. advocate has referred to the decision reported in 2026(1) AICLR 258(SC) in the case of Yadwinder Singh @ Sunny Vs State of Punjab & Anr. wherein it is observed that mere refusal to marry even if true by itself would not amount to instigation which deceased was left with no other option but to commit suicide.

Ld. advocate for the accused/petitioner has further referred to another decision reported in 2025 SCC on-line SC 120 in the case of Laxmi Das Vs. State of West Bengal wherein it is observed that a remark such as asking the deceased to not be alive if she cannot live without marrying her lover will also not gain the status of abetment. Ld. advocate prays for bail in any terms and conditions.

Ld. P.P., Hooghly raising strong objection against the bail prayer has pointed out to the materials lying in the C.D. containing the statements of the witness recorded u/s 180 of BNSS as well as u/s 183 of BNSS including and the P.M. report. It is submitted that if the Id. advocate for the petitioner finds the case does not fall within the ambit of

abetment of suicide then he can move before the Hon'ble Court with a prayer for quashing of the FIR. But at this stage we are dealing with hearing of anticipatory bail application. It is further pointed out that the co-accused who have been granted bail was detained in custody for a considerable period and charge-sheet has not yet been submitted and there is further scope of investigation.

Having heard both sides and after perusal of the materials collected in the C.D. I find it is too early to say as to whether the case falls squarely within the definition of abetment of suicide or not. However, considering the nature of allegation against the present petitioners and also considering the fact that they are women, I do not think there is necessity for custodial interrogation of the petitioners.

Hence, I am inclined to enlarge the accused/ petitioners on bail. Accordingly, the prayer for bail stands **allowed**.

The above named petitioners may find bail on furnishing bond of Rs. 2,500/- each with two sureties of like amount to the satisfaction of Id. C.J.M, Hooghly . Petitioners are directed to co-operate with the investigating agency.

Return the C.D. and L.C.R.

Thus, the Cr. Misc. Case is disposed of.

Let a copy of this order be tagged with the case record.

Dictated & corrected by me.

S.J.

Sessions Judge(I/C), Hooghly