



CRM-M-2812-2025 (O&M)

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

CRM-M-2812-2025 (O&M)

Date of Decision:- 24.04.2025

Surya Prakash Gupta

....Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

Mr. Satwant Singh Rangi, Advocate with
Mr. Fateh Sahota, Advocate
for respondent No. 2.

AMARJOT BHATTI, J.(Oral)

CRM-15073-2025

This is an application filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for placing on record copy of Medical of
Seema Rani dated 04.09.2024, 08.09.2024, online Rail Reservation Tickets
dated 04.09.2024 as well as chatting of Seema as Annexure P-4 to
Annexure P-6.

For the reasons enumerated in application, same is allowed.
Accompanying documents Annexure P-4 and Annexure P-6 are taken on
record, subject to all just exceptions.

**Main case**

1. Petitioner Surya Prakash Gupta has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case FIR No. 203 dated 21.10.2024 under Section 85/316(2) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station City-2 Khanna, District Ludhiana (Annexure P-1).

2. Facts of the case are complainant Seema filed written complaint against her husband Surya Prakash Gupta and other members of in-laws family regarding maltreatment in matrimonial home and demand of dowry. Complainant Seema alleged that her marriage was performed with Surya Prakash Gupta on 27.11.2023 according to Hindu Rites. At the time of marriage, huge amount was spent on the reception of Baraat. Her parents had given gold ornaments, shagun, costly gifts to her husband and in-laws family. She was also given gold ornaments, furniture, electrical appliances and all articles for running a house. They had spent Rs. 20 lacs on her marriage. Even at the time of Engagement ceremony, huge money was spent. After marriage, she was not permitted to use her *istridhan*. She was beaten up and harassed in matrimonial home and was pressurized to bring Rs. 5 lacs from her parents as there was some loan on them. Her parents had already spent huge money. Therefore, it was not possible for her parents to satisfy their demand for cash of Rs. 5 lacs. Behaviour of her husband and in-laws family changed towards her. She started remaining sick in matrimonial home and for proper treatment she was taken to parental house. She was again called back in matrimonial home with



assurance that she will be given proper treatment. She again got sick on 12.09.2024 and when nobody provided her treatment she called her parents and on this her parents and brothers came from Khanna by car. When her mother-in-law came to know about this fact, she along with her son (husband of complainant) took her to hospital to get medicine. Parents of complainant and her brothers reached hospital. She wanted to accompany her parents. She came to her matrimonial home to collect her clothes etc. and found that her father-in-law along with 40-50 unknown persons started misbehaving with her family members. Out of fear she became unconscious. She was brought to her parental house and was taken to Civil Hospital, Khanna for treatment. Finally, matter was reported to the police.

3. Learned counsel for petitioner argued that all allegations levelled against petitioner are false and without any basis. She left matrimonial home on her own on 12.09.2024 and also took away her dowry articles along with cash and gold ornaments given by her parents as well as gold ornaments given by his parents at the time of marriage. Marriage was performed in a simple manner. It is denied that complainant was ever treated with cruelty. Petitioner had joined investigation. Learned counsel for petitioner referred to medical slip (Annexure P-4) to establish that complainant was given proper medical treatment. He has also relied upon online reservation of railway ticket (Annexure P-5) and photostat copy of mobile phone chat (Annexure P-6). It is pointed out that complainant was staying with petitioner when complaint was filed. Even otherwise dowry articles have been recovered vide recovery memo dated



15.12.2024. He is ready to abide by terms of bail order. Therefore, his anticipatory bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing respondent No. 2. Status report is also filed confirming the allegations detailed in FIR. It is confirmed that some of the dowry articles have been recovered. Recovery memo is produced on record. However, other dowry articles consisting of gold, silver ornaments, Bullet motorcycle as detailed in Annexure R-2/1 are yet to be recovered. Learned counsel representing respondent No. 2 has also placed on record photographs as Annexure R-2/2, showing admission of respondent No. 2 in a hospital for her medical treatment. It is pointed out that custodial interrogation of present petitioner is required to effect recovery of remaining dowry articles.

5. I have considered the arguments and have gone through the record carefully. In the case in hand, effort was made so that petitioner as well as respondent No. 2 could reconcile their differences. Matter was referred to Mediation and Conciliation Centre, but it did not bear fruitful result. In the case in hand, partial recovery of dowry articles was effected. However, costly items like gold ornaments, silver ornaments, motorcycle are yet to be recovered and same were not handed over despite given sufficient time to petitioner. Allegations and counter allegations are matter of trial. To complete the investigation, recovery of dowry articles is material. Considering the facts and circumstances of present case, I do not find a fit case for grant of anticipatory bail petition and petition filed by petitioner Surya Prakash Gupta is accordingly, dismissed.



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6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

24.04.2025

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(AMARJOT BHATTI)
JUDGE

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