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

Date of Decision:- 03.04.2025

(1) CRM-M-3706-2024

SUNITAPetitioner

Vs.

UT OF CHANDIGARH & ANR. ...Respondents

(2) CRM-M-3756-2024

SURAJ GABBIPetitioner

Vs.

UT OF CHANDIGARH & ANR. ...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ayush Rohtagi, Advocate and Mr. Nikhil Kharbanda,
Advocate for petitioner in both cases.

Mr. Manish Bansal, PP and Mr. Dinesh Kumar Sharma,
Addl.PP, for UT, Chandigarh.

Mr. Ritesh Aggarwal, Advocate for respondent
No.2/complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Sunita [in CRM-M-3706-2024] and petitioner Suraj Gabbi [in CRM-M-3756-2024] have filed instant petitions under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.59 dated 10.10.2023 under Sections 406 and 498-A IPC registered at Police Station Women Police Station, Chandigarh (Annexure P-1). These petitions are



taken up together for hearing and decision being arisen out of the same FIR.

2. As per brief facts of the case, present FIR has been registered on the written complaint of the complainant Rishu against her husband and in-laws' family alleging that their marriage was performed on 27.04.2021 at Hotel Parkview, Sector-24, Chandigarh. Complainant has given detail of different ceremonies which took place before marriage and it is alleged that huge amount was spent thereon. After marriage, she was taunted and harassed in the matrimonial home for bringing insufficient dowry. In May, 2021, firstly accused No.1 suffered severe covid thereafter she was also infected. She constantly faced physical and mental cruelty from the hands of her husband and in-laws' family. There was no change in their behaviour. In October, 2021 she got a job in Max Hospital Saket, New Delhi and it become all the more difficult to do household work along with her job. She has narrated various incidents which took place in the matrimonial home. There was demand for SUV car and cash of Rs.25 lakhs. All her belongings remained in possession of accused persons. Finally, complaint was filed.

3. Learned counsel representing both petitioners pointed out that during the pendency of this case, petitioner (s) as well as complainant have effected compromise and in pursuance of this compromise, complainant and her husband Suraj Gabbi filed joint petition under Section 13-B of Hindu Marriage Act in which their statements on 1st motion have been recorded. No dispute is left between them.

4. Counsel appearing on behalf of respondent No.2 / complainant also confirmed the aforesaid factual position.

5. Learned counsel representing UT, Chandigarh opposed the



anticipatory bail applications by alleging that dowry articles are yet to be recovered.

6. I have considered the arguments as referred above. Present FIR was registered on account of matrimonial dispute between husband and wife. Now it is confirmed by counsel for petitioners as well as counsel representing complainant that matter has been compromised between the parties, as a result husband and wife filed joint petition seeking divorce with mutual consent under Section 13-B of Hindu Marriage Act. Anticipatory bail applications are not opposed by counsel for respondent No.2/complainant. Even petitioners are ready to join the investigation as and when required.

7. In view of the factual position, anticipatory bail applications filed by Petitioners – Sunita [in CRM-M-3706-2024] and Suraj Gabbi [in CRM-M-3756-2024] are allowed. They be not arrested. In case of their arrest, they be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioners will join investigation as and when required. They will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438 (2) of Cr.P.C.

8. Photocopy of the order be placed on the file of above-mentioned connected case.

03.04.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No