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

CRM-M-36618-2025

Date of Decision:-10.12.2025

Dinesh Kumar

...Petitioner

Versus

State of Punjab and Anr.

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gautam Bhardwaj, Advocate for the petitioner.
Mr. Jasjit Singh Rattu, DAG, Punjab.
Ms. Kuljit Kaur, Advocate, Legal Aid Counsel for respondent
No.2.

AMARJOT BHATTI, J.(Oral)

1. Petitioner Dinesh Kumar filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in FIR No.0042 dated 19.05.2025, under Sections 406, 498-A of IPC, registered at Police Station Women Cell, Jalandhar.

2. As per facts of the case, complainant Pooja filed written complaint against her husband Dinesh Kumar and other members of in-laws family for beating and causing harassment to her on account of their demand for dowry. It is alleged that her marriage was solemnized with Dinesh Kumar with great pomp and show according to Hindu customs and traditions. At the time of marriage, her parents had given gold and silver jewellery, clothes, cash amount, etc. and the same was handed over to her in-laws as per their request. Her parents had spent about Rs.5-8 lakhs on her marriage. In the matrimonial home, she was scolded for not bringing sufficient dowry. They used to find faults in the dowry articles by saying



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that beds were small and the fridge was also small. Her husband used to talk badly to her and about her parental family. Her husband and in-laws family was unhappy with the dowry articles. She tried to adjust in the matrimonial home. Even her brother-in-law used to beat his wife. Despite working whole day in the matrimonial home, they were unhappy. She did not tell anything to her parents as her mother was 80 years of age and was disabled. Her father was also 85 years of age. The behaviour of her husband turned bad to worse with the passage of time. They wanted to turn her out of the matrimonial home. During her pregnancy, the maltreatment continued. She has narrated various incidents which took place in the matrimonial home. She got sick and was taken to her parental house at Jalandhar. She gave birth to a baby girl. Nobody from her in-laws side inquired about their welfare. The entire expenditure was borne by her parents where she lived for about 1½ years. Finally, she filed the complaint. On 28.02.2023 in the presence of panchayat, they assured not to harass her and she was again sent to the matrimonial home. There was no change in their behaviour. The matter was again reported to the police. She was turned out of the matrimonial home. She kept on sitting outside the house and the entire neighborhood was watching this incident. She again went to the police station. Her mother-in-law snatched her child. The police advised her husband to bring the child to the police station. When she came out of the house, her suitcase was checked in which she was only carrying her clothes. All her jewellery remained with her in-laws. She was brought to Jalandhar by her father and finally the present FIR was lodged.



3. Learned counsel for petitioner argued that all allegations levelled against him are false and without any basis. There was no maltreatment, nor there was any demand for dowry. The marriage was performed in a simple manner on 31.08.2021, as it took place during Corona Pandemic. The other family members never interfered in their married life. False complaint has been filed. In fact, he is facing threats from the complainant and her family. He has also filed a petition under Section 9 of Hindu Marriage Act. He is ready and willing to cooperate with the investigating agency. Anticipatory bail application filed by the petitioner was wrongly declined by learned Additional Sessions Judge, Jalandhar vide order dated 20.06.2025 (Annexure P-2).

4. Learned counsel for respondent No.2 filed reply confirming the allegations and also annexed the photographs of marriage showing the gold ornaments given at the time of marriage which are (Annexure R-1). She has also annexed copy of calandra which was earlier presented in Rapat No.12 dated 09.09.2025 under Section 126,170, 126, 169 of BNSS-2023 (Annexure R-2). It is pointed out that till date the petitioner has failed to hand over the dowry articles including gold and silver jewellery given at the time of marriage, therefore petitioner is not entitled to the concession of anticipatory bail.

5. Status report has been filed confirming the facts narrated in the FIR. It is pointed out that there are serious allegations against the petitioner falling under Section 406, 498-A of IPC. Present petitioner Dinesh Kumar being husband of complainant is the main accused. Custodial interrogation



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of the petitioner is required to recover the dowry articles. The investigation in this case is still incomplete and thereafter challan will be presented in the Court.

6. I have considered the arguments and have gone through the record carefully. In the case in hand, initially matter was referred to Mediation and Conciliation Center to explore the possibility of compromise, but no fruitful results could be achieved. The respondent No.2 has placed on record the photographs of gifts given at the time of marriage in the shape of gold and silver ornaments which are not returned till date. The counsel representing respondent No.2 also referred to the contents of FIR to show that when the complainant left the matrimonial home with the suitcase, it was checked which contained only wearing clothes. Therefore, it cannot be said that the complainant while leaving the matrimonial home, took away the gold and silver jewellery. Despite given interim relief, there was no inclination on the part of present petitioner to return the dowry articles belonging to the complainant/respondent No.2. In order to complete the investigation and to recover the dowry articles, custodial interrogation of the petitioner is required. In my opinion, it is not a fit case for grant of anticipatory bail. The anticipatory bail petition filed by petitioner is accordingly declined.

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

10.12.2025

*Sunil Devi***(AMARJOT BHATTI)**
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No