



CRM-M-46749-2024

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

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CRM-M-46749-2024

Decided on:- 03.07.2025

Vijeshwar Singh Gandhi

....Petitioner

Versus**State of Punjab and another**

....Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Bhupinder Kumar Gupta, Advocate
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

Mr. Amit Dhawan, Advocate
for respondent No. 2.

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AMARJOT BHATTI, J.(Oral)

1. Petitioner Vijeshwar Singh Gandhi has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case FIR No. 89 dated 18.08.2024 (Annexure P-1) under Section 406 and 498-A of IPC registered at Police Station Women, District Police Commissionerate Jalandhar.

2. Facts of the case are complainant Simranjit Singh Gandhi filed written complaint against her husband and in-laws family that her marriage was performed with Vijeshwar Singh Gandhi on 01.12.2019 at Jalandhar. Her parents had given dowry as per their demand. Complainant has given detail of gifts given at the time of Roka ceremony and Shagun ceremony as detailed in FIR. She has also given detail of gold ornaments, furniture and other household articles given at the time of marriage. Approximately 30 lakhs were spent by her family at the time of marriage. Soon after



marriage, her in-laws family started complaining that their demands were not fulfilled. They were complaining regarding dowry articles and other gifts given at the time of marriage. There was demand for a car for accused No. 1 at the time of Lohri festival. Her parents had given gifts including gold ornaments on the occasion of first Lohri. The attitude of her husband and in-laws family was not good towards her. They started taunting her for bringing insufficient dowry. Complainant has given detail of various incidents which took place in matrimonial home. During this period, she conceived and finally gave birth to a baby girl. Her parents again gave customary gifts on the birth of child. Finally she alongwith her girl child were taken back to matrimonial home. Maltreatment continued in matrimonial home. Panchayats were also convened to settle the controversy. All efforts failed and finally complaint was filed. Complainant is residing in her parental house since 20.05.2022.

3. Learned counsel for petitioner argued that all allegations levelled against him and his family members are false. Complainant was never ill-treated in matrimonial home. There was no question of ill-treating the complainant or the girl child. All allegations are baseless. Petitioner was granted interim bail vide order dated 19.09.2024 and he has also joined investigation. Even as per status report filed by State, dowry articles have been recovered as detailed in Annexure R-2/T. He is still ready to join investigation as and when required.

4. Learned counsel representing State filed status report confirming the allegations levelled by complainant. Complainant as well as her minor daughter are residing in parental house for last about two years. Matter was compromised but complainant and girl child were not taken to



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matrimonial home which clearly shows intention of present petitioner. Thereafter, complainant and minor child went back to parental house. After proper inquiry present FIR has been registered. It is confirmed that petitioner was granted interim bail and accordingly, he joined investigation on 04.01.2025 and got recovered dowry articles. However, it is alleged that all dowry articles have not been recovered as yet. List of same is Annexure R-3/T. Therefore, custodial interrogation of petitioner is required.

5. I have considered the arguments and have gone through the record. There are allegations and counter allegations levelled by complainant as well as petitioner. Present petitioner was granted interim bail and admittedly he joined investigation. List of dowry articles recovered in this case are mentioned in Annexure R-2/T. It is the case of complainant that some of the dowry articles are yet to be recovered. I have considered this aspect of case. Remaining dowry articles which are not recovered as yet, its entrustment and misappropriation is matter of trial. Recovery memo indicates that substantial recovery has been effected. No purpose would be served by sending petitioner behind the bars. Therefore, interim bail already granted in favour of petitioner by the Coordinate Bench vide order dated 19.09.2024 stands confirmed, subject to terms and conditions as envisaged under Section 482(2) BNSS, 2023 (corresponding Section 438(2) Cr.P.C.).

6. Petition is accordingly, allowed.

7. Pending application(s), if any, also stands disposed of accordingly.

03.07.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No