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

**CRM-M-44958-2025
DECIDED ON: 19.08.2025**

NANCY GOSWAMI AND ORS**.....PETITIONERS****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. K.S. Dhanora , Advocate for the petitioners.
Mr. J.S. Rattu, DAG, Punjab
Mr. A.S. Sivia, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 praying for anticipatory bail to the petitioners in FIR No. 105, dated 24.05.2025, under sections 115(2), 126(2), 333, 351(2), 3(5) of BNS, 2023, P.S. Division No.6, Ludhiana, District Ludhiana.

2. Brief facts of the case reads as under:-

"Statement by Dalvir Singh Dhaliwal son of Major Singh Dhaliwal resident of Rajgarh House near Sarpanch Dairy New Abadia Akalgarh, Police Station Sudhar District Ludhiana, age 50 years, Moba: 9115515566 stated that I am a resident of the above address and my firm named Swar International is at 371/1 Mungfli Mandi Millerganj Ludhiana. Where I work as a bearing import and my residence is above it. I have one known Rahul Sharma son of Ramesh Kumar resident of House No. 64 Street No. 02 near Malhotra Resorts Jalandhar Bypass Hussainpura, Police Station Salemtabari Ludhiana who was married in January 2024 to Nancy Goswami daughter of Pankaj Goswami resident of House No. 1155/8 Dukhbhanjan Colony Railway Road Dhanosar Kurukshetra Haryana. From

whom he does not have any children. Rahul Sharma and Nancy Goswami used to have a domestic dispute because the girl's family had married her off by keeping it a secret that the girl had epilepsy. Due to the increasing domestic dispute, Nancy Goswami had gone to her own house of her own free will in April 2024. After which she did not return, since I have a good relationship with Rahul Sharma's family members, we went to Nancy Goswami's house on 24-04-2025 to talk to the important people and Rahul's family members, where in the presence of the important people and family members, both the parties had verbally agreed that as per the law, both the parties would separate after reading the written agreement between them and after that the girl Nancy Goswami would take her belongings. On 26-04-2025, at around 11:45 AM, I was present in my office when Nancy Goswami, her maternal grandfather Sher Singh, her brother-in-law Ravi Sodhi, resident of Kurukshetra, Haryana and her sister Kritka Goswami, wife of Ravi Sodhi, resident of the above-mentioned place, came to my office. Then I called Rahul Sharma. After some time, Rahul Sharma along with his sister Saloni Sharma and uncle Subhas came to my office. When Rahul Sharma and others came, they all got angry and started shouting loudly that return our gold and belongings or else it will not be good. When I tried to explain to them, they started fighting with me and beat me up. They all got angry and started fighting with Rahul Sharma and others. We ran away in fear and went to my residence. They also came after us. They came to my residence and started vandalizing and they broke the goods. When I stopped them and we tried to run away, the accused surrounded us and fought with us. We defended ourselves with great difficulty. The accused came to my residence and beat me up and after that, the accused threatened to kill us. The accused came riding on a Mahindra Bolero HR-08-X-1102 in white. In this regard, we have been talking about mutual resignation till now. Which could not reach the end. The accused came to my residence without authorization, surrounded us, fought with us, vandalized the goods in the residence and threatened to kill us. Appropriate legal action should be taken against them. Today, you came and got your statement written in the presence of Rahul.

3. **Contentions**

On behalf of Petitioners

Learned counsel for the petitioners contends false implication in the present case and claims the FIR to be baseless and it is a no-injury case and since a matrimonial dispute is pending between one Rahul Sharma and petitioners, therefore Rahul Sharma took help of his employer and made him complainant in

the present case, thereby exerting pressure on the present petitioners to settle the said dispute.

It is further advanced by the counsel that the petitioners was granted interim anticipatory bail on condition of joining the investigation, but they failed to join due to medical exigencies.

Notice of Motion

On behalf of the State

On request of the court, Learned State counsel has accepted notice on this behalf, and opposing the present prayer has vehemently argued that the petitioners were involved in a serious offence and even after grant of interim anticipatory bail to join the investigation, they have failed to do so, misusing the liberty granted to them. On the basis of this, the State Counsel submits that they deserve no leniency at this stage.

3. **Analysis**

Heard counsel for both parties.

This court is conscious of the fact that petitioners were granted the concession of interim anticipatory bail, whereby a mandatory condition was imposed requiring them to join investigation vide order dated 25.07.2025 passed by ADJ Ludhiana which was subsequently defied by the petitioners. This conduct of petitioners' in not joining the investigation points out that if this Court grants bail, the investigation is not likely to proceed any further because of the petitioners' conduct in not joining the investigation earlier as well. When the petitioners did not join even when their anticipatory bail order was not finalized, it can be well imagined that there is a possibility of them not joining the investigation now. Even otherwise, as per the instructions of the I.O. present in the

court today, a new section of Section 21B, NDPS Act, 1985 stands added vide GD entry no. 12 dated 04.07.2025 which was not mentioned in the present petition.

Accordingly, a perusal of the petition and the documents attached prima facie point towards serious allegations against the petitioners and their conscious defiance of orders of the Court do not make out a case for anticipatory bail. The impact of crime would also not justify exercise of the authority of this court in granting anticipatory bail to the petitioners. Any further discussions will likely prejudice the petitioners, thus, this court refrains from doing so.

Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the Trial Court advert to these comments.

The petition stands dismissed.

19.08.2025

Meenu

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned :Yes/No

Whether reportable :Yes/No