



CRM-M-11076-2026 (O&M)

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

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CRM-M-11076-2026 (O&M)
Date of Decision: 06.03.2026

AJAY SHARMA

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPALPresent: Mr. Shubham Mehta, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

SHALINI SINGH NAGPAL, J. (ORAL)

1. Petitioner seeks regular bail in case arising out of FIR No. 85 dated 16.08.2023 under Section 498-A Indian Penal Code, Police Station Women, District Police Commissionerate, Jalandhar. This is the first petition for regular bail.
2. Learned counsel for the petitioner submits that petitioner, who had been residing in Italy since October 2022, came to India only on 04.01.2026, when he was arrested at Indra Gandhi International Airport at Delhi upon arrival. He had been falsely implicated in the criminal case registered on statement of his estranged wife, on allegations of demand for dowry and cruelty. It was urged that the marriage of petitioner and complainant-wife was simple and the allegations of demand of dowry and cruelty were false. Despite sincere efforts, complainant who left the company of the petitioner, could not be persuaded to resume her matrimonial obligations. Petitioner, who was in Italy,



was not even aware of registration of FIR nor was ever informed by the police regarding non-bailable warrants or the proclamation published in India. No recovery was to be effected from the petitioner, who was in judicial custody since 04.01.2026. Petitioner was ready to appear before learned trial Court on each and every date of hearing and to abide by the conditions as may be imposed upon him. It was thus prayed that petitioner be enlarged on regular bail.

3. Learned State counsel strongly opposed the prayer for regular bail arguing that petitioner was declared a proclaimed person on 10.05.2024 and was arrested on 04.01.2026. Considering his act and conduct, he did not deserve the concession of regular bail.

4. Copy of petitioner's passport is on record, which reveals that he departed from New Delhi on 23.10.2022. The FIR came to registered on 16.08.2023. On the said date, petitioner was apparently not in India. The entire proceedings under Section 82 Cr.P.C. conducted behind his back would, therefore, come in question. The genesis of the criminal case is a matrimonial dispute. The petitioner is behind bars for the last 02 months. Trial is likely to take long to conclude. Antecedents of the petitioner are clean and he is not stated to be involved in any other case. There is no reason to believe that he would evade the process of law or would obstruct the course of justice. In the given facts and circumstances of the case, but without commenting upon merits, the petition is allowed. Petitioner-Ajay Sharma is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the



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satisfaction of learned trial Court/Illaq Magistrate/Chief Judicial Magistrate
subject to following conditions:

- i. Petitioner shall appear before learned trial Court on each and every
date of hearing;
- ii. shall not leave India without prior permission of the Court;
- iii. shall not delay/stall the proceedings;
- iv. shall deposit his passport with the trial Court;
- v. any other condition which the trial Court may impose.

MARCH 06, 2026

Ajay Goswami

**(SHALINI SINGH NAGPAL)
JUDGE**

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