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

CRM-M-16560-2026 (O&M)

Date of decision: 04.05.2026

TANWAR AZAD**...PETITIONER****VERSUS****STATE OF HARYANA AND ANOTHER****...RESPONDENTS****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Lukesh Kumar, Advocate
for the petitioner.

Mr. Kshitij Bharati, AAG, Haryana.

Mr. Hitesh Kumar, Advocate for
Mr. Sudhir Rana, Advocate
for the respondent No.2.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks anticipatory bail in case arising out of FIR No.377 dated 17.11.2025, under Sections 85, 64(2), 316 (2), 3(5), 351(2) of BNS, 2023 Police Station Khol, District Rewari. This is the first petition for anticipatory bail.
2. While issuing notice of motion on 27.03.2026, following order was passed:-

“Petitioner seeks anticipatory bail in case arising out of FIR No.377 dated 17.11.2025, under Sections 85, 64(2), 316 (2), 3(5), 351(2) of BNS, 2023 (corresponding sections 498-A, 376 (2), 406, 34, 506 IPC), Police Station Khol, District Rewari. This is the first petition for anticipatory bail.

Learned counsel for the petitioner submits that marriage of petitioner with respondent No.2 was solemnised on

01.03.2025. Mother of the petitioner was also named as accused in the FIR but had since been allowed anticipatory bail by the Court of Sessions. He further submits that petitioner and respondent No.2 lived together only for 20 days, on account of temperamental differences. Respondent No.2 left the house soon after marriage and lodged the FIR after 7-8 months on false and frivolous allegations. Allegations against the petitioner were vague, general and without any date or particular instances. Learned counsel further submits that the offence under Section 376(2) IPC was attributed to co-accused, not to the petitioner. Petitioner, who had clean antecedents, was ready and willing to join investigation.

Notice of motion.

Mr. Vikas Bhardwaj, AAG Haryana, who is present in Court, accepts notice on behalf of State of Haryana-respondent and submits that there were serious allegations against the petitioner, who was granted interim anticipatory bail by learned Additional Sessions Judge, but did not cooperate in investigation on which account his prayer for bail was declined.

In the given facts and circumstances of the case, in the event of arrest, petitioner shall be released on interim anticipatory bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall join investigation as and when called upon to do so and shall abide by the conditions as envisaged under

Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Status report in the matter be filed on 04.05.2026.”

3. Status report by way of affidavit of Pawan Kumar, HPS, DSP, Traffic, District Rewari has been filed by State of Haryana, which is taken on record. Learned State counsel assisted by learned counsel for respondent No.2 opposes the prayer for anticipatory bail on the ground that petitioner had misappropriated *istridhan* including 35 tolas gold and 20 tolas silver and though he did join investigation, he did not get recovered the dowry articles.

4. Learned counsel for the petitioner refers to ***Varun Sharma Vs. State of Punjab and Another, 2024 (2) R.C.R. (Criminal) 151*** to submit that recovery of dowry articles cannot be a ground to decline anticipatory bail.

5. Pursuant to order of this Court dated 27.03.2026, petitioner has joined investigation. Benefit of anticipatory bail cannot be denied for the reason that gold and silver articles have not been recovered. Whether or not the gold articles were indeed entrusted to the petitioner would be a matter of trial. Considering all relevant facts and circumstances, the petition is allowed and order dated 27.03.2026, granting interim anticipatory bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023.

6. Pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

04.05.2026

Sumit Singla

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No