



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(104)

CRM-M-49136-2025 (O&M)

Date of Decision: 07.04.2026

RAHUL KAPOOR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Satnam Singh Thakur, Advocate for the petitioner.

Mr. Yadwinder Singh, AAG, Punjab.

Mr. Arjunveer Sharma, Advocate for the complainant.

KIRTI SINGH, J. (ORAL)

1. The jurisdiction of this Court under Section 438 Cr.P.C. has been invoked for grant of anticipatory bail to the petitioner in case FIR No.67 dated 01.08.2025 under Sections 316(2) and 85 of BNS, registered at Police Station Women, District Ludhiana.

2. The contents of the FIR are reproduced hereunder:

"Sir, it is requested that I, xxxx, wife of Rahul Kapoor, currently resident of House No. 3876, Street No. 12, New Madhopuri, Ludhiana, make the following application to you That the marriage of the applicant with accused No. 1 took place with great pomp and show with Hindu rituals on 28-07-2021 at Malhotra Resort, Ludhiana. It was an arranged marriage and the parents of the applicant had paid all the above-mentioned fees. The marriage was arranged as per the demand of the accused and the bride, jewellery etc. were given as per the demand of the accused. Apart from this, gifts were also given to the relatives of the native and the accused and the bride's Instead of giving it to her, she kept it in her illegal possession. 4. That everything was fine for about a week after the wedding, but later all the accused started talking among themselves and started taunting the applicant that the applicant's parents did not marry her according to her status and whatever goods they gave in dowry were of poor quality and no car was given in the wedding, which is the custom of giving a car in dowry these days. The applicant kept quiet after hearing all this because she did not want to spoil her marital home,



but the accused took advantage of the situation and the accused started beating and abusing her every day. 5. That the accused No.4 and 5 interfered a lot in the married life of the applicant and whenever they used to come to my in-laws' house, they used to provoke my husband accused No. 1 and the rest of the accused that in which poor house did you get married, if you had married according to our rules, you would have got a lot of dowry and a car, due to which the accused Nos. 1 to 3 started hating me and started treating me like a slave. My husband started telling me clearly that he needed a servant in the house, which was fulfilled when the applicant came to the house. Because of such things, the accused No. 1 did not even pay me expenses and used to torture me mentally and physically. 6. That initially I did not tell my parents anything, but when accused atrocities. increased, I told the whole story to my parents, who came many times and explained to my in-laws, but accused did not change his behavior, rather accused number 2 and 3 used to use dirty words towards my parents and after quarreling with me, all three of them used to beat me. 7. That when I got pregnant, I told my mother-in-law and she demanded a boy from me. But when the applicant had a girl child, all the accused got angry and started beating the applicant and made the applicant's life like hell. Accused demanded jewellery, cash and a car from the applicant's parents as a gift, and in which he gave me a gold set and a gold chain and gold earrings to the child. Apart from this, he gave 51 thousand in cash to the child and accused. But this did not satisfy his greed and he also started demanding a car from the applicant every day. My parents held a panchayat several times and requested the accused to end the greed of dowry, but accused number 4 and 5 never let the quarrel in the house end and they started inciting my husband accused number 1 to divorce me and to solemnize second marriage. Accused number 2 who used to keep a wrong eye on the applicant and used to tease and make gestures and when the applicant stopped him and complained about it to accused numbers 1 and 3, instead of listening to me, they supported accused number 2 and asked me to fulfill his illegal demand, for which the applicant was not at all ready. Accused number 1 often beat me and threatened to take the girl to the room and harm her, due to which I was very upset. 8. That accused number 1 also took her to a rented house for some time. For which the applicant also agreed that her married life should not be spoiled but the natives number 2 and 3 were brought back to the in-laws' house after admitting their mistake and assuring them that they would not do it again, but after some time the accused again repeated the dowry demands and accused number 3 again violated the dignity of the applicants and used to molest the applicant after seeing her alone in the house. On 26-05-2025, the accused also humiliated me and my parents in the panchayat and I was mentally disturbed and I was admitted to the hospital in shock. But all the accused first beat up the applicant on 04-06-2025 over the demand for a new car and later left the applicant number 1 on a scooter and left the house without a father and kept the custody of the child of about two and a half years old and also kept the entire residence and women's wealth of the applicant in their possession and accused number 1 has said that he will get a divorce from the applicant and will not let the applicant and his family even see the face of the child. Therefore, if there is any danger to my child's life and property, then the above accused will be responsible. Therefore, it is requested that the above mentioned people should collectively take strict legal action against the petitioner for harassing, beating, ruining the married life, abusing and throwing her out of the in-laws' house and forcibly keeping the custody of the child and the petitioner's wife's money in their possession. An FIR should be registered, the custody of the child should be returned and my wife's money should be recovered.”



3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR on the basis of the statement made by the complainant/wife of the petitioner, leveling sweeping and omnibus allegations of harassment for demand of dowry and acts of cruelty therein. It has been stated that the allegations levelled against the petitioner are unsubstantiated. The marriage between the petitioner and the complainant was solemnized on 28.07.2021 and no dowry articles were taken in marriage. However, since the complainant/wife was not able to adjust with the family members of the petitioner, that she left the matrimonial home and got lodged the present FIR. It is submitted that moreover, the allegations levelled against the parents of the petitioner were in fact found to be false. The petitioner is willing to join the investigation.

4. *Per contra*, learned State counsel as well as learned counsel for the complainant/wife have vehemently opposed the submissions made by the learned counsel for the petitioner and submit that there are specific and serious allegations against the petitioner. They further submit that the petitioner, along with his family members, made persistent demands for dowry from the complainant/wife, and even subjected her to consistent cruelty. A detailed account of all the atrocities meted out to her has been narrated by the complainant in the FIR. Therefore, the petitioner does not deserve to be granted the concession of anticipatory bail by this Court.

5. Heard the rival submissions made by learned counsel for the parties.

6. Vide order dated 01.10.2025, this Court had referred the matter to Mediation & Conciliation Centre of this Court for working out a possible



amicable settlement. However, the mediation failed between the parties. It is also noteworthy that while on 09.02.2026, the petitioner had expressed his willingness to take his wife back with him, and the complainant/wife had agreed to reconcile for the sake of her child, however the petitioner subsequently backtracked from his statement. Thereafter, on 16.02.2026, both the parties were asked to interact among themselves to find an amicable solution, but this Court was subsequently informed by the complainant/wife that though they sat for few minutes, however shortly after the petitioner left without saying anything and thereafter he did not even respond to her phone call.

7. A perusal of the case file reveals that the specific allegations leveled by the complainant/wife against the petitioner and his family members/relatives are grave and serious in nature, involving persistent demands for dowry, acts of cruelty, and issuance of threats, thereby disclosing a *prima facie* case requiring thorough investigation. However, despite the gravity of the allegations, and the conduct of the petitioner, this Court in an endeavour to find a consensus among the parties, yet again interacted with them today, but the petitioner was rigid and uncooperative in his attitude, displaying no inclination to resolve the dispute amicably, also reflecting a lack of *bona fides* to even cooperate with the judicial process.

8. It is true that the dispute in the instant case has arise out of a matrimonial discord, however, the same by itself cannot be a ground to dilute the gravity of the allegations or to extend the concession of anticipatory bail as a matter of course. Matrimonial disputes involving



allegations of cruelty and dowry harassment have far-reaching consequences, and each case must be assessed on its own merits.

9. The position of law is settled that the concession of anticipatory bail, which is an extraordinary relief, cannot be granted on the mere asking of the petitioner. There must be an existence of exceptional circumstances in their favour so as to warrant the Court to extend this concession. Regrettably, there is nothing in the pleadings made on behalf of the petitioner, so as to make out the existence of any such grounds so as to make him entitled for grant of concession of anticipatory bail.

10. In view of the foregoing discussion, this Court is of the considered opinion that the petitioner has failed to make out a case for grant of anticipatory bail. The allegations against the petitioner are serious and supported by *prima facie* material, and no exceptional circumstances are made out to warrant the exercise of discretionary jurisdiction in his favour.

11. Accordingly, the instant petition stands dismissed.

12. Needless to say that nothing observed hereinabove shall be construed as an expression on the merits of the case.

13. Pending miscellaneous application(s), if any, also stands disposed of.

07.04.2026
SwarnjitS

(KIRTI SINGH)
JUDGE

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