



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-34748-2025(O&M)

Decided on: 25.09.2025

SIMRANJIT SINGH BUMRAW

. . . Petitioner(s)

Versus

STATE OF PUNJAB AND ANR

. . . Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**PRESENT:** Mr. Naveen Bawa, Advocate
for the petitioner(s).

Ms. Aakanksha Gupta, AAG Punjab.

Ms. Ramandeep Kaur, Advocate,
Mr. Siddhant Sharda, Advocate and
Mr. Jaideep Verma, Advocate for respondent No.2.

KIRTI SINGH, J. (Oral)

Apprehending arrest in FIR No.0039 dated 10.06.2025, under Sections 316 (2), 85 & 61(2) of BNS, 2023, registered at Police Station Women, District Ludhiana, the petitioner has preferred this petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023) for grant of pre-arrest bail.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner is husband of the complainant and has been falsely implicated in the present FIR which was lodged by leveling sweeping allegations. He further submits that marriage between both the parties was solemnized on 31.01.2024 and no demand for dowry, as alleged, was made at any point of time. In fact, the present circumstances are such that the complainant is residing in the matrimonial home while the petitioner is residing at a tenanted premises. It is further submitted that the marriage was a simple affair without any dowry demands, giving, or taking of istridhan articles.



Rather, on 19.09.2024, the complainant, along with her father and others, had forcibly entered the house of the petitioner's father with the intention to intimidate and insult the petitioner and his family, leading to the filing of complaint No. UID/PGD No. 449358 dated 20.09.2024. Infact, the petitioner and his wife were disinherited by his father on 24.10.2024 due to threats from the complainant. The father of the petitioner also filed suits for mandatory and permanent injunctions, decreed on 04.03.2025 and 09.04.2025 respectively, restraining the complainant and petitioner from interfering in his peaceful possession. The petitioner has also filed petitions under Sections 11 and 12 of the Hindu Marriage Act seeking for nullity of his marriage with the complainant/respondent No.2. Learned counsel submits that the petitioner is ready to join investigation and cooperate.

3. Learned counsel for respondent No.2/complainant submits that the petitioner has failed to look after the respondent No.2/complainant and is allegedly involved in extra-marital affairs, which has resulted in his living separately from the matrimonial house for several months. It is further submitted that the petitioner and his father are in business, but when the dispute arose, the petitioner has represented himself as merely an employee in the business. It is submitted that the petitioner did not even accompany the respondent No.2/complainant for her regular medical check-ups during pregnancy. The petitioner is also in the habit of levelling baseless allegations against the respondent No.2/complainant on the ground of her alleged medical unfitness. It is further submitted that after obtaining interim relief from this Court, the petitioner even threatened the complainant. In this regard, FIR No.0124 dated 19.08.2025 under Sections 126(2), 351, and 90 of BNS was lodged by the complainant against the petitioner and his mother, specifically recording these threats. It is therefore prayed that the present petition seeking the concession of anticipatory bail be dismissed.



4. Per contra, learned State counsel has opposed the prayer made in the present petition. While relying upon the contents of the short reply, she submits that there are serious allegation against the petitioner and he is not entitled to concession of anticipatory bail.

5. Heard the rival submissions made by either side.

6. Vide order dated 06.08.2025, passed by this Court, the parties were directed to appear before the Mediation and Conciliation Centre at District Court Complex, Ludhiana on 20.08.2025 to explore the possibility of an amicable resolution to the dispute. However, as per the report of the Mediation and Conciliation Centre, the matter could not be settled.

7. In *Srikant Upadhyay and others vs. State of Bihar and another, 2024 (INSC) 202 (SC)*, Hon'ble Supreme Court held as under:

*“It is thus obvious from the catena of decisions dealing with bail that even while clarifying that arrest should be the last option and it should be restricted to cases where arrest is imperative in the facts and circumstances of a case, the consistent view is that the grant of anticipatory bail shall be restricted to exceptional circumstances. In other words, the position is that the power to grant anticipatory bail under Section 438, Cr.P.C. is an exceptional power and should be exercised only in exceptional cases and not as a matter of course. Its object is to ensure that a person should not be harassed or humiliated in order to satisfy the grudge or personal vendetta of the complainant. (See the decision of this Court in *HDFC Bank Ltd. v. J.J.Mannan & Anr. 2010 (1) SCC 679*).*

*Further, it was clearly observed in para NO. 24 of the judgment (supra) that “**though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule.** It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case. While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great*



extent as it may sometimes lead to tampering or distraction of the evidence. We shall not be understood to have held that the Court shall not pass an interim protection pending consideration of such application as the Section is destined to safeguard the freedom of an individual against unwarranted arrest and we say that such orders shall be passed in eminently fit cases. At any rate, when warrant of arrest or proclamation is issued, the applicant is not entitled to invoke the extraordinary power. Certainly, this will not deprive the power of the Court to grant pre-arrest bail in extreme, exceptional cases in the interest of justice. But then, person(s) continuously, defying orders and keep absconding is not entitled to such grant.”

8. In ***Sushila Aggarwal v. State (NCT of Delhi) (2018) 7 SCC 731***, the Constitution Bench reaffirmed that while considering applications for anticipatory bail, courts should consider factors such as the nature and gravity of the offences, the role attributed to the applicant, and the specific facts of the case.

9. The general rule, put tersely, may be of bail, no jail; however, a just exception may be taken where there are circumstances which might thwart the course of justice. The antecedents of the accused or the probability of the accused fleeing, intimidating witnesses or tampering with the evidence, *inter alia*, weigh in heavy before the Court when dealing with a petition for the grant of anticipatory bail.

10. In the present case, *prima facie*, serious allegations of demands of dowry, harassment, cruelty and criminal intimidation have been levelled. It has also been brought to the notice of this Court that after securing interim protection from his arrest, the petitioner allegedly made threats to the complainant, for which FIR No.0124 dated 19.08.2025 under Sections 126(2), 351, and 90 of BNS was got registered by the complainant/respondent No.2 against the petitioner and his mother. Therefore, in view of the allegations levelled and given the conduct of the petitioner, this Court is not inclined to grant the discretionary relief of



anticipatory bail to petitioner in the present case.

11. The petition is dismissed.

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

(KIRTI SINGH)
JUDGE

25.09.2025

Kavita

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No