

2025:PHHC:142543



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

CRM-M-403-2025 (O&M)

Reserved on: 14.10.2025

Pronounced on: 15.10.2025

AJAY MIDHA AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Naveen Chhabra, Advocate
for the petitioners.

Mr. Hardeep Singh Wadhwa, DAG Punjab.

Mr. Kunwar Rajan, Advocate
for respondent No. 2.

SHALINI SINGH NAGPAL, J.

Petitioners seek anticipatory bail in case arising out of FIR No. 60 dated 09.04.2024 under Sections 406, 498-A Indian Penal Code, Police Station City Muktsar, District Muktsar Sahib. This is the first petition for anticipatory bail.

Learned counsel for the petitioners submits that petitioners were parents-in-law of respondent No. 2, who was married with their son on 20.01.2023. Son of the petitioners came to India one day before the marriage and left soon thereafter. Disputes arose between petitioners' son and respondent No. 2 at the very inception of matrimonial relationship and the two resided together for a period less than two months. He further submits that petitioners had been falsely implicated by respondent No. 2 only to harass them.

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Respondent No. 2 also tried to rope in other son and close relatives of the petitioners, but her version was found false during investigation. In fact respondent No. 2 solemnized marriage with petitioners' son, as she was keen to settle abroad. She also pressurized petitioners to transfer Rs. 10,00,000/- in her account and when she failed to get spouse visa, she got the false case registered by twisting the true facts, only to harass and humiliate the petitioners.

Learned counsel further submits that vide orders of this Court dated 19.05.2025, a Mediator was appointed and with the efforts of Mediator, the parties had duly settled the disputes and a compromise deed was executed between them. As per compromise, respondent No.2 agreed to receive Rs. 14,50,000/- as full and final settlement of her claim and the parties also agreed for filing of joint petition for mutual divorce. Respondent No. 2 agreed to get the subject FIR quashed, but for some reason, the terms of the compromise could not be immediately put to execution. Petitioners, who had clean antecedents, were ready and willing to join investigation and deserved to be enlarged on anticipatory bail.

Learned State counsel assisted by learned counsel for the complainant/respondent No. 2 opposes the prayer for anticipatory bail arguing that the allegations levelled in the FIR attracted offences under Sections 498-A, 406 IPC and dowry articles misappropriated by the petitioners were yet to be recovered. Petitioners, parents-in-law of respondent No. 2, had key role in commission of offence. The compromise effected between the parties was not



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being executed nor any payment was made in pursuance thereof. Thus, petitioners did not deserve to be enlarged on anticipatory bail.

Petitioners are parents-in-law of respondent No.2. Their son, the main accused is abroad. With the intervention of Mediator appointed by this Court, the matter had been resolved, though terms of the compromise are yet to be executed. Petitioners have fixed abode and clean antecedents. There is no prospect of their evading process of law. For effecting recovery of dowry articles, they can be asked to join investigation. In the given facts and circumstances of the case, but without commenting on merits, the petition is allowed. In the event of arrest, the petitioners shall be released on the anticipatory bail subject to their furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioners 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.

(SHALINI SINGH NAGPAL)
JUDGE

Reserved on: 14.10.2025

Pronounced on: 15.10.2025

Ajay Goswami

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No