



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

211

CRM-M-10152-2025 (O&amp;M)

Date of Decision: 25.08.2025

GAURAV KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. L.S. Sidhu, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Saurav Bhatia, Advocate for respondent No.2.

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**KIRTI SINGH, J. (Oral)**

1. Apprehending his arrest the petitioner has filed this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case bearing FIR No.15 dated 07.12.2024 under Sections 85 and 316(2) of BNS registered at Police Station PS Women, District Ludhiana Rural.
2. This Court while issuing notice of motion on 21.02.2025 passed the following order:-

*“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.15 dated 07.12.2024 under Sections 85 and 316(2) of BNS, registered at Police Station Women, Jagraon, Ludhiana (Rural), District Ludhiana.*

*2. Learned counsel for the petitioner, inter alia, submits that there are allegations of demand of dowry and harassment against the petitioner. The petitioner has been falsely implicated in this case and there was no exchange of dowry article as this was the second marriage of the complainant. Learned counsel for the petitioner further submits that there is possibility of amicable resolution to the dispute and the matter may be referred to the Mediation and Conciliation Centre of this Court. He also submits that petitioner is ready to bear the litigation expenses.*

*3. Notice of motion.*

*4. Mr. Davinder Bir Singh, Senior DAG, Punjab waives service of notice on behalf of the respondent-State and seeks time to file response.*

*5. List on 12.03.2025.*

*6. Notice to respondent No.2 be also issued for the date fixed.*

*7. The parties are directed to appear before Mediation and Conciliation Centre of this Court on 04.03.2025 at 11:00 AM. The petitioner shall pay*



*a sum of Rs.20,000/- to respondent No.2 as litigation expenses on the date fixed before the Mediation and Conciliation Centre of this Court.*

*8. In the meanwhile, no coercive steps be taken qua the petitioner till the next date of hearing.”*

3. Thereafter, vide order dated 17.07.2025 the petitioner was directed to join investigation.

4. Learned counsel for respondent No.2 while opposing the present petition also submits that certain dowry articles are yet to be recovered from the petitioner.

5. Learned State counsel on instructions from ASI Rajesh Gurmeet Singh submits that in compliance of order dated 17.07.2025, the petitioner has joined the investigation and is not required for any further investigation. However, recovery of the dowry articles are yet to be effected from him.

6. The Court while considering the petition for grant of anticipatory bail has to strike a balance between the liberty of an individual on one hand and on the other hand, the role and the allegations against the petitioner. This Court after hearing learned counsels for the parties, is of the considered view that liberty of the petitioner will be a dominant factor for the purpose of considering prayer for grant of anticipatory bail. Non-return of the dowry articles/Stridhan will only be a factor which is subservient to the aforesaid dominant factor. While striking a balance between the aforesaid two things and in view of the facts and circumstances of the present case, the liberty of the petitioner will prevail over the argument raised by learned State Counsel.

7. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 17.7.2025 passed by this Court, is hereby made absolute.

8. This order should not be treated as "blanket" order. It will not



be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

9. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

10. The accused-petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

11. The accused-petitioner shall not leave India without prior permission of the Court.

12. The accused-petitioner shall join the investigation as and when called by the police.

13. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

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

25.08.2025

*Ithlesh*

**(KIRTI SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No