



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

CRM-M-32229-2025 (O&M)

Date of Decision:07.07.2025

Balbir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Aditya Anand, Advocate for the petitioner.

Mr. G.S. Bhullar, Assistant Advocate General, Punjab.

Mr. Gagandeep Singh Bajwa, Advocate for the complainant.

JASGURPREET SINGH PURI J.(Oral)

1. The present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.32 dated 17.05.2025 under Sections 85, 115(2) and 316(2) of BNS, 2023 (Erstwhile Sections 498-A, 323 and 406 of IPC) registered at Police Station Women Cell, District Police Commissionerate Amritsar.

2. Learned counsel appearing on behalf of the petitioner submitted that this is a case where the petitioner is the father-in-law of the complainant and is 53 years old. He submitted that on 12.06.2025, when notice of motion was issued in the present case, the petitioner was directed to join the investigation and he was granted interim bail. He further submitted that the matter was referred to the Mediation & Conciliation Centre at the District Courts, Amritsar and thereafter the proceedings



before learned Mediator commenced at District Courts, Amritsar, but unfortunately the same failed and the mediation could not be fruitful.

3. Learned counsel further submitted that, as per the allegations contained in the FIR itself, the complainant was earlier married to someone else and on dissolution of that marriage, she got an alimony of Rs.35,00,000/- and she allegedly paid Rs.7,00,000/- to her second husband i.e. the son of the present petitioner for the purpose of sending her abroad but the same was not done and the amount was also not returned. He also submitted that in the FIR, the basic and essential allegations have been made against the son of the petitioner, who is the husband of the complainant and so far as the petitioner is concerned, no specific role has been attributed to him except for various vague and evasive allegations pertaining to giving beatings along with the husband of the complainant. He also submitted that the petitioner, being the father-in-law, has been unnecessarily implicated in the present case in order to pressurize the son of the petitioner.

4. Learned counsel further submitted that in pursuance of the order passed by this Court on 12.06.2025, the petitioner has joined the investigation and has fully cooperated with the investigation process and therefore, the interim bail granted to the petitioner may be made absolute.

5. On the other hand, learned State counsel submitted, on instructions, that in pursuance of the order passed by this Court on 12.06.2025, the petitioner has already joined the investigation but the aforesaid amount has not been recovered as yet and therefore on this ground, he does not deserve the concession of anticipatory bail.



6. Learned counsel appearing on behalf of the complainant submitted that the complainant is a victim of fraud because an amount of Rs.7,00,000/- was paid by her to her husband, who is the son of the present petitioner, for the purpose of sending her abroad, but neither was she sent abroad nor was the amount returned. He further submitted that not only because of the non-recovery of the aforesaid amount but also because the complainant was given beatings from time to time by the petitioner as well as his son, the petitioner is not entitled for the grant of anticipatory bail.

7. I have heard the learned counsels for the parties.

8. This Court while issuing notice of motion on 12.06.2025 has granted interim bail to the petitioner. The matter was also sent to the Mediation and Conciliation Centre at District Courts, Amritsar. A report from the Mediator through CJM-cum-District Legal Services Authority, Amritsar, has been received in which it has been stated that despite efforts, the mediation has failed. A perusal of the FIR would show that the complainant-wife was earlier married, in which she received some amount of money as alimony from her previous husband. As per the allegations, she gave some money to her husband, who is the son of the present petitioner. The petitioner is the father-in-law of the complainant. Although some allegations have been made regarding beatings but *prima facie* the same appear to be non-specific.

9. After hearing learned counsels for the parties, this Court is of the considered view that the prayer of the petitioner for grant of anticipatory bail is justified. As per learned State counsel, the petitioner has already joined the investigation; however, the only objection raised by



learned State counsel is that the aforesaid amount of Rs. 7,00,000/- has not been returned by the son of the petitioner. This Court is of the view that the aforesaid objection cannot be accepted because the petitioner is the father-in-law of the complainant and therefore on that ground, the petitioner cannot be denied anticipatory bail. Consequently, the present petition is allowed and the order dated 12.06.2025 passed by this Court is hereby made absolute.

10. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

07.07.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No