



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

(206)

CRM-M-24797-2025

Date of Decision: 08.10.2025

Kulwinder Kaur and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Ms. Bhavi Kapur, Advocate for the petitioners.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Deepak Sabherwal, Advocate and
Ms. Ruchika Sabherwal, Advocate for the complainant.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioners, in case FIR No. 11 dated 03.2.2023, under Sections 498-A and 406 IPC, registered at Police Station Subhanpur, District Kapurthala.
2. On 07.5.2025, while issuing notice of motion, following order was passed by this Court-

“Learned counsel for the petitioners has submitted that both the petitioners are parents-in-law and petitioner No.1 is an old lady of the age of 61 years and petitioner No.2 is an old man of the age of 67 years and they are citizens of Netherlands. He submitted that the marriage of the son of the petitioners was solemnized with the daughter of the complainant on 21.02.2022. He submitted that so far as petitioner No.2 is concerned, after just two days of the marriage, he went back to Netherlands and even their daughter-in-law also went back to Netherlands on 12.03.2022 with petitioner No.1. He also submitted that the allegations pertaining to Section 498-A IPC are even in the FIR stated to have arisen in Netherlands and not in India. So far as the allegations under Section 406 IPC are concerned, he submitted that all the gold ornaments were taken away by the daughter-in-law on her own and false allegations have been levelled against the petitioners just in order to rope in the present FIR. He also



submitted that both the petitioners are ready and willing to join investigation as and when called by the Investigating Officer and they will also fully cooperate with the investigation process and therefore, the petitioners may be considered for the grant of anticipatory bail.

Notice of motion.

Mr. Jasjit Singh, learned Deputy Advocate General, Punjab accepts notice on behalf of the State of Punjab and prays for some time to file reply.

At this stage, Mr. Deepak Sabherwal, Advocate has caused appearance on behalf of respondent No.2 and has filed his power of attorney which is taken on record. He submitted that the daughter of the complainant is the victim in the present case because her parents had spent a lot of money on her marriage and gave gold ornaments which have not been returned. He also submitted that cash amount of Rs. 21,00,000/- was handed over by the complainant to the petitioners which has not been returned and therefore, the petitioners do not deserve the concession of anticipatory bail. He also submitted that a false affidavit has been given vide Annexure P-4 that the gold ornaments have been returned and there is also an apprehension that in case the anticipatory is granted to the petitioners, then they may abscond to Netherlands. He also prays for some time to file an affidavit and also states that the matter can also be resolved through mediation.

After hearing the learned counsels for the parties and considering the aforesaid facts and circumstances wherein the petitioners are the parents-in-law and as per the learned counsel for the petitioners, petitioner No.2 had went back to Netherlands just after two days of the marriage and the undertaking given by the learned counsel for the petitioners on behalf of the petitioners that they will not only join investigation but they will fully cooperate with the investigation process, it is directed that the arrest of the petitioners shall remain stayed.

At this stage, both the learned counsels for the parties have requested that the matter may be sent to the Mediation and Conciliation Centre of this Court so that amicable settlement can be arrived at between the parties.

In view of the above, let the present case be sent to the Mediation and Conciliation Centre of this Court for exploring the possibility of amicable settlement between the parties.

Mr. Sachin Jain, Advocate, who is stated to be on the panel of Mediators, is hereby appointed as Mediator in the present case.

The parties are directed to appear before the Mediator so appointed on 28.05.2025.

Adjourned to 03.09.2025, for awaiting the report.”

3. Vide order dated 03.9.2025, the petitioners were directed to join investigation. The said order is reproduced hereinafter:-

“Vide order dated 07.05.2025, parties were directed to appear before the Mediation and Conciliation Centre of this Court for



exploring the possibility of amicable settlement between them. As per the report dated 30.06.2025 received from the Mediation Centre, parties have settled their dispute.

2. *Status report filed by learned State counsel is taken on record.*

3. *In the meanwhile, the petitioners are directed to join investigation before the Investigating Agency/Officer. They shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023;-*

(1) That the petitioners shall make themselves available for interrogation by a police officer as and when required to do so.

(2) That the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the case so as to dissuade him from disclosing such facts to Court or to any police officer.

(3) That the petitioners shall not leave India without prior permission of the Court.

4. *Adjourned to 11.9.2025.*

5. *Interim order to continue.”*

4. Learned State counsel on instructions from ASI Baljinder Singh, submits that in compliance of order dated 03.9.2025, the petitioners have joined the investigation on 19.9.2025 and are not required for any further investigation.

5. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 03.9.2025 passed by this Court, is hereby made absolute.

6. This order should not be treated as "blanket" order. It will not be read granting the petitioner(s) 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.



7. 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(s).

8. The accused-petitioner(s) 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.

9. The accused-petitioner(s) shall not leave India without prior permission of the Court.

10. The accused-petitioner(s) shall join the investigation as and when called by the police.

11. 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(s), 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.

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

(KIRTI SINGH)
JUDGE

October 08, 2025
Gurpreet Singh

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