



CRM-M-23455-2025 (O&M) -1-

102+271

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23455-2025 (O&M)

Date of Decision:- 23.07.2025

NEERJA BAHRI ...Petitioner
Vs.
STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amandeep Saini, Advocate for Mr. Vaneet Kumar Sharma,
Advocate for petitioner.
Ms. Amrit Kaur Mahir, AAG, Punjab.
Mr. Ferry Sofat, Advocate for the complainant.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.43 dated 03.03.2025 under Sections 316 (2), 85, 351 (2) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib.

2. As per facts of the case, FIR has been registered on the written complaint of Manisha Kapila against her husband and other members of in-laws family including the present petitioner (mother-in-law). Complainant alleged that she came in contact with Shivam Bahri on jeevansathi.com on 28.08.2023. Thereafter, their parents met and with the consent of both the parties, *roka* ceremony took place at their house in Mandi Gobindgarh on 27.09.2023 where her parents had given gifts amounting to Rs.1,50,300/-. Accused persons wanted a ring ceremony and in that course arguments took place between the families and this matrimonial alliance was called off by



CRM-M-23455-2025 (O&M) -2-

both the parties. Gifts given to each other were returned on 08.11.2023. On 14.05.2024 after about 6 months, she again received communication from Shivam Bahri as to whether she was still single and he was looking for a suitable match. Both of them again started talking to each other. It was decided by their families to perform their marriage. At the instance of Neerja Bahri accused No.2, expensive and luxury banquet hall Noor Mahal Palace, Karnal was hired. Date was fixed after lot of deliberations on 07.07.2024. Said banquet hall was booked by her father by making payment of Rs.50,000/-. Accused No.2 started having conversation with her father regarding their demands. They wanted the list of articles should be shown to them before marriage. List was also amended as per the demand of accused No.2. Roka ceremony took place in their house in Mandi Gobindgarh on 09.06.2024. Everything was arranged as per the desire of accused No.2. There was demand for car which should not be less than Rs.10 lakhs. On 15.06.2024 her parents and her brother went to the house of accused persons for invitation and handed over Rs.5 lakhs in cash for buying clothes and furniture. Arguments continued between her father and accused No.2 regarding marriage and the arrangements made by them. Expensive clothes were purchased at the instance of accused persons but they never paid for the same from time to time. Demands raised by them were fulfilled by her parents and expensive jewellery was purchased. Her parents had spent Rs.41 lakhs on marriage including Rs.15 lakhs in cash for purchasing a car. Again on first visit in the parental house, her parents had spent huge amount and gave cash of Rs.4 lakh to the accused persons. After marriage, she was harassed in the matrimonial home on petty issues. She was nagged and ill-



treated. During this period, she requested her parents to take her back in the parental house. Matter was compromised from time to time. Her mother-in-law ill-treated her and even shouted at her when they met at Zirakpur on 14.08.2024. On 18.08.2024 she came to her parental house at Mandi Gobindgarh on *raksha bandhan*. She was not permitted to have her independent bank account. She has narrated various incidents which took place in the matrimonial home. Accused No.1 repeatedly abused and showed disrespect towards her and her families. On 13.10.2024, she accompanied to her parental house and since then there was no communication between families.

3. Learned counsel for the petitioner raised the issue that allegations levelled against her are false. She left the matrimonial home voluntarily. No specific act is attributed to the petitioner. Petitioner is having medical condition. She is surviving on one kidney and requires constant medical care. No recovery is to be effected from her. Main accused i.e. husband of the petitioner has been granted regular bail. Learned counsel for petitioner further pointed out that even otherwise for the recovery of dowry articles, petitioner cannot be denied the concession of anticipatory bail. Petitioner will also join investigation as and when required. Therefore, anticipatory bail application filed by the petitioner may be allowed.

4. On the other hand, anticipatory bail filed by the petitioner is opposed by learned counsel representing State as well as counsel representing complainant. It is pointed out that investigation in this case is still going on. Petitioner has not joined the investigation till date. There are specific acts of cruelty and demands raised by the petitioner from time to



time. Shivam Bahri was arrested on 01.05.2025 and few dowry articles were recovered on 04.05.2025. Gold ornaments of the complainant and other articles are yet to be recovered. Learned counsel representing State further placed on record the list of articles already recovered vide recovery memo dated 04.05.2025 consisting of articles mentioned at Annexure 'A'. There is list of gold ornaments along with invoices of Tanishq, Malabar Gold and Diamonds, Sopaan Jeweller and Jaswant Jewellers. To corroborate these facts, photographs of marriage and other ceremonies are also annexed when said gifts were given to accused persons including the present petitioner. It is pointed out that dowry articles belonging to the complainant are yet to be recovered to complete the investigation. Therefore, petitioner is not entitled to the concession of anticipatory bail.

5. I have considered the arguments advanced before me by learned counsel representing petitioner as well as learned counsel representing complainant assisting the State counsel. As per contents of FIR, even prior to the marriage dispute had started between the families regarding the dowry articles given at the time of marriage. It is claimed that huge cash amount, gold ornaments and other gifts were given to the husband, mother-in-law and other members of in-laws' family from time to time. Even then Manisha Kapila was ill-treated in the matrimonial home and finally she returned to her parental house. It is matter of record that Shivam Bahri husband has been granted regular bail vide order dated 08.05.2025 (Annexure A-4) and at that moment, some of the dowry articles were recovered. During the pendency of present anticipatory bail application, there was effort to refer the matter in Mediation and Conciliation Centre but there was no positive response



from the side of petitioner as it was alleged that they are not to return any dowry articles. Seeing the aforesaid conduct, matter could not be referred to Mediation and Conciliation Centre. Now counsel for complainant assisting State counsel has annexed large number of bills regarding purchase of gold ornaments along with photographs of various ceremonies when huge cash amount and gold ornaments were given to the husband, mother-in-law and other family members from the side of petitioner. Dowry articles given at the time of marriage was istridhan belonging to the complainant. There are specific allegations of misappropriation of dowry articles which are yet to be recovered. Therefore, considering the aforesaid factual position, I do not find a fit case for grant of anticipatory bail and the same is, accordingly, declined.

6. Pending miscellaneous application (s), if any, stands disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

23.07.2025

snd

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