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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Decided on : 29.04.2025

Sorabh Singla

. . . Petitioner

Versus

State of Punjab

. . . Respondent

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present : Mr. Ishan Khetarpal, Advocate  
for the petitioner

Mr. R.S. Thind, DAG Punjab

Mr. Sherry K. Singla, Advocate  
for the complainant

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

1. This is the first petition filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in case FIR No.29 dated 20.02.2025 under Sections 85, 115(2) of BNS, 2023 registered at Police Station Dirba, District Sangrur.

2. The contents of the above-mentioned FIR are reproduced herein below:-

*“It is stated that I am resident of the above address and do household chores besides doing job at HDFC. My marriage was solemnized with Saurav Singla about two years back. In my in-laws family there was my father-in-law Ravinder Kumar @ Nanak, mother-in-law Neelam Rani and brother-in-law (Devar) Rahul Kumar, who along with his wife Mamta did live abroad in London. He along with his wife and*



*children had come to Dirba on 10.02.2025. The house of Mamu my uncle-father-in-law is situated adjoining to my in-laws house. Sushma Devi is wife of my uncle father-in-law whereas his son is Vishal Singla @ Billa and two daughters are Gagan and Seena Singla; Gagan is married and Seena is bachelor. I have two sister-in-law (Nanada) one Simpy Singla W/o Vinod Singla R/o Mansa and second Deepi Rani W/o Vivek Jindal R/o Dhanola; who live in abroad Canada. Prior to my marriage, I did work as HR in Security Office at Mohali. After my engagement; my in-laws family made me to quit the job. After the marriage; I was living normal life in my in-laws family; but after two months of the marriage, my in-laws family started harassing me by taunting that I did not know anything to do at all. When my husband did go out; then my father-in-law used to eve-tease me. On the occasion of any festival etc my husband used to demand money or gold. When my parental family did not give any article; then they started harassing me. Thereafter, for my maintenance, I started job in HDFC Bank, Dirba. Then my husband started demanding car from me. My in-laws family and the family of my uncle-father-in-law together started harassing me on the pretext of bringing less dowry. They started giving me beatings for the demand of car. About six months back from today; my in-laws family had given me beatings whereupon my brother Mohit Singla, my mother Neelam Rani and my Massar Darshi R/o Budhlada brought me from Dirba to Budhlada. Thereafter, the meeting of the respectable persons of village Dirba and Budhlada was convened at Jain Headquarters, Budhlada; wherein my in-laws had admitted their mistake and had assured the Panchyat that they shall not do the same mistake and on this; by saying so they had taken me back to Dirba. After few days; they again started giving me beatings and demanding dowry. The gold ornaments; which my parents had gifted at the time of marriage are in the custody of my in-laws family. Out of that, some gold has been sold by my in-laws family. On 10.2.2025, at about 5:30 P.M, I came back to my rented house from my duty. After finishing all the chores and*



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*preparing dinner; I laid down in my room; then at about 9:30 P.M, my husband came to our rented house; and immediately started abusing me and slapped on my left and right cheeks and twisted my neck; and he having pressed the toe of my left leg with his foot; gave fist blows on my back; whereupon I having myself got released from my husband came outside to the street; I was given beatings in the street; where the neighbors had congregated; who rescued me from my husband. Thereafter, I having made phone call from my neighbor's phone had called my brother to Dirba. Thereafter, my brother having brought me along got admitted in Civil Hospital, Budhalada; where I am under treatment. I have got recorded my statement with you.”*

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in the instant case. He further submits that there are only general and vague allegations in the FIR without any specific date, month or year. He submits that perusal of the MLR of the complainant also depicts that the injuries are simple in nature. During the inquiry, the allegations against the father-in-law, mother-in-law and the other family members were found to be false. Learned counsel submits that the petitioner is ready to join the investigation.

4. Learned counsel for the complainant while opposing the prayer made by learned counsel for the petitioner has submitted that there are serious allegations levelled against the petitioner. Learned counsel while placing reliance upon MLR dated 11.02.2025 submits that the petitioner was subjected to mental and physical torture and the complainant was given severe beatings by the petitioner owing to the constant demands of dowry.

5. Learned State counsel while placing reliance upon status report dated 08.04.2025 has reiterated the version of the complainant and has submitted that in the MLR dated 11.02.2025, the doctor reported the following injuries :-



Sr. No.	Injury details	Injury No.
1.	Complain of generalized pain on the left cheek. On examination swelling present. No external injury Seen. Advice KUO for 12 hours.	1
2.	Complain of generalized pain on the right 2 cheek. Swelling present. On examination no external injury seen. Advice KUO for 12 hours.	2
3.	Complaint of pain on the left foot. ROM 3 Present. On examination advice xray and otrho opinion.	3
4.	Complain of pain in the neck on the 4 anterior aspect. On examination ROM present. No external injury seen. Advice KUO for 12 hours.	4
5.	Complain of pain on the lumbar region of 5 back in the midline. On examination no external injury Seen. Advice KUO for 12 hours.	5

6. Heard the rival submissions made by learned counsel for the parties and perused the record.

7. In *Srikant Upadhyay and others vs. State of Bihar and another, 2024 (INSC) 202 (SC)*, Hon'ble Supreme Court held as under:

*“It is thus obvious from the catena of decisions dealing with bail that even while clarifying that arrest should be the last option and it should be restricted to cases where arrest is imperative in the facts and circumstances of a case, the consistent view is that the grant of anticipatory bail shall be restricted to exceptional circumstances. In other words, the position is that the power to grant anticipatory bail under Section 438, Cr.P.C. is an exceptional power and should be exercised only in exceptional cases and not as a matter of course. Its object is to ensure that a person should not be harassed or humiliated in order to satisfy the grudge or personal vendetta of the complainant. (See the decision of this Court in HDFC Bank Ltd. v. J.J.Mannan & Anr. 2010 (1) SCC 679).*

*Further, it was clearly observed in para No. 24 of the judgment (supra) that “**though in many cases it was held that bail is said to be***



*a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule. It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case. While called upon to exercise the said power, the Court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence. We shall not be understood to have held that the Court shall not pass an interim protection pending consideration of such application as the Section is destined to safeguard the freedom of an individual against unwarranted arrest and we say that such orders shall be passed in eminently fit cases. At any rate, when warrant of arrest or proclamation is issued, the applicant is not entitled to invoke the extraordinary power. Certainly, this will not deprive the power of the Court to grant pre-arrest bail in extreme, exceptional cases in the interest of justice. But then, person(s) continuously, defying orders and keep absconding is not entitled to such grant.”*

8. In ***Sushila Aggarwal v. State (NCT of Delhi) (2018) 7 SCC 731***, the Constitution Bench reaffirmed that when considering applications for anticipatory bail, courts should consider factors such as the nature and gravity of the offences, the role attributed to the applicant, and the specific facts of the case.

9. Further, the general rule, put tersely, may be of bail, no jail; however, a just exception may be taken where there are circumstances which might thwart the course of justice. The antecedents of the accused or the probability of the accused fleeing, intimidating witnesses or tampering with the evidence, *inter alia*, weigh in heavy before the Court when dealing with a petition for the grant of anticipatory bail.



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10. *Prima facie*, there are serious allegations levelled against the petitioner, of subjecting the complainant to physical and mental cruelty on account of unlawful dowry demands which have been detailed in the FIR and an MLR has also been submitted in support. Needless to say that the severity of physical harm in matrimonial disputes need not reach the action. threshold of grievous injury for it to warrant legal action. Even seemingly minor acts of violence, manifesting as simple injuries, possess the capacity to erode the sanctity of marital trust and compromise the fundamental dignity of the individual and constitutes a violation of their personal integrity and autonomy thes It is imperative, therefore, that legal systems and societal attitudes adopt a zero- tolerance approach, recognizing that all forms of physical abuse, irrespective of their intensity, represent a breach of conjugal respect and a potential precursor to more severe violence. In the light of the foregoing discussion, this Court is not inclined to grant the concession of anticipatory bail to the petitioner.

11. Accordingly, the petition is dismissed.

12. Needless to mention that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

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

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

**April 29, 2025**

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Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No