



CRM-M-59986-2024 (O&M)

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

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CRM-M-59986-2024 (O&M)

Decided on:- 08.08.2025

Thoru Ram and another

....Petitioners

Versus**State of Punjab and another**

....Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ashdeep Singh, Advocate
for the petitioners.

Ms. Manjot Kaur, AAG, Punjab.

Mr. Arshdeep S. Khaira, Advocate
for respondent No. 2/complainant.

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AMARJOT BHATTI, J.(Oral)**CRM-31163-2025**

This is an application filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for placing on record affidavit of
respondent No. 2 dated 06.08.2025 and jewellery bill dated 21.08.2017
(Annexure C-1).

For the reasons enumerated in application, same is allowed.
Accompanying document Annexure C-1 is taken on record, subject to all
just exceptions.

Main case

1. Petitioners Thoru Ram and Mamta Sharma have filed petition
under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant
of anticipatory bail in case FIR No. 0060 dated 02.10.2024 under Section
498-A, 406 of IPC registered at Police Station Purana Shalla, District



Gurdaspur.

2. As per the facts of case, complainant Kamni Sharma filed written complaint against her husband Naresh Sharma and other members of in-laws family regarding maltreatment on account of demand of dowry. She alleged that her marriage was performed with Naresh Sharma on 30.08.2017. Her parents had spent Rs. 18 lacs on her marriage by selling 1 acre of land and by taking loan from two banks. She has given detail of dowry articles, gold ornaments etc. given at the time of marriage. After a week, her in-laws family started taunting her for not bringing a car. They did not want to keep her in matrimonial home. There was a demand for a big car and cash of Rs. 5 lacs. She tolerated the behaviour of her husband and in-laws family with a hope that they will change their attitude but there was no change. Her husband used to beat her after consuming liquor. She has narrated various incidents which took place in matrimonial home. Respectables of village and relatives tried to settle their dispute. Her husband used to give her merciless beating. During her pregnancy, her in-laws wanted her to abort the child. She gave birth to a daughter who is studying in Dashmesh Public School, Mukerian. She is not provided any maintenance. At present her husband is residing in Germany. She has been turned out of the matrimonial home and since 19.03.2024, she is residing in her parental house. All her dowry articles have been misappropriated. With these allegations, present FIR has been registered.

3. Learned counsel representing petitioners pointed out that both petitioners are old parents-in-law of complainant. They are running a grocery shop in the house to earn their livelihood. Respondent No. 2 was residing separately on the first floor of house. They have not caused any



harassment to her nor raised any demand for dowry. Dowry articles are already recovered. They are still ready to join investigation as and when required.

4. Status report is filed. Learned counsel representing State of Punjab pointed out that dowry articles have been recovered vide recovery memo dated 03.07.2025 (Annexure R-1/T) and some of the gold ornaments are also recovered vide separate recovery memo of same date (Annexure R-2/T). However, it is claimed that 60 grams of gold is yet to be recovered.

5. On the other hand, learned counsel representing respondent No. 2/complainant argued anticipatory bail petition as per the facts narrated in FIR. It is pointed out that mother and daughter are not provided any maintenance by husband or her in-laws. Some of the dowry articles are recovered. However, motorcycle was sold to purchase a second hand car and gold jewellery weighed 60 grams is still in possession of her in-laws. Photostat copy of bill is annexed as Annexure C-1.

6. I have considered the aforesaid factual position. Matter was also referred to Mediation and Conciliation Centre but parties could not reconcile their differences. Therefore, it remained unsettled. Petitioners who are old parents-in-law of respondent No. 2 have already joined investigation and during interim relief, they cooperated with Investigating Agency, as a result, dowry articles have been recovered as per recovery memos annexed with status report (Annexures R-1/T and R-2/T). In case there is anything left to be recovered, then its entrustment and misappropriation is matter of trial. Husband of respondent No. 2 is residing abroad. Present petitioners have fully cooperated with Investigating Agency and they are still ready to do so. Therefore, anticipatory bail



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petition filed by petitioners Thoru Ram and Mamta Sharma is allowed. They be not arrested. In case of their arrest, they be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioners will join investigation as and when required. They will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) of BNSS, 2023.

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

08.08.2025

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**(AMARJOT BHATTI)
JUDGE**

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