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**08.06.2026**

Present : Ld. Addl. PP for the State.  
Ld. Counsel Sh. Nitish Sharma for applicant/ accused.  
Ld. Counsel Sh. Vikram Aggarwal for complainant  
alongwith complainant.  
IO ASI Rakesh is present.

1. **Vide this common order, I shall dispose off the aforesaid five applications U/s.482 BNSS moved on behalf of applicants/ accused persons seeking anticipatory bail.**

2. Ld. Counsel for the applicants submits that no such application is pending before any other Court.

3. Replies already filed and copies thereof supplied.

4. Ld. Counsel for the applicants / accused persons submits that applicants have no criminal antecedents and they have never been convicted by any Court of law. It is further submitted on behalf of applicants that the present case was registered on the complaint of Smt. Kanika Garg who alleged false, vague, generalized and baseless allegations of dowry demand and cruelty. It is further submitted that allegations levelled by the complainant are highly exaggerated, motivated and arise out of a matrimonial dispute and no prima-facie case is made out against the applicants. It is further submitted that no specific date and time or role has been attributed to the accused persons in the FIR except omnibus allegations. It is further submitted that despite the registration of FIR, complainant is still residing in the matrimonial home with her in-laws. It is further submitted that applicants had never demanded any money on account of dowry from the complainant or committed any acts of cruelty. It is further submitted that entire alleged dowry articles are lying under the custody and possession of the complainant and therefore, there is no requirement of custodial interrogation/arrest of the accused persons. It is further submitted that accused persons joined the investigation and fully co-operated in the investigation. It is also submitted that there is no medical evidence to establish that accused persons had ever committed cruelty upon the complainant. It is further submitted that applicants/accused persons undertake to abide by all the terms and conditions as imposed by this Court.

5. Ld. Addl. PP for State assisted by IO and Ld. Counsel for complainant submits that applicants/ accused persons have committed physical and mental torture to the complainant. Ld. Additional PP for the State further submits that custodial interrogation of accused persons is required for recovery of *istridhan* articles as accused persons are jointly in possession of the *istridhan*.

6. Ld. Counsel for the complainant has submitted that complainant is residing separately at second floor of the matrimonial home and despite settlement agreement arrived at between complainant and accused Harshit Jindal in the Mediation Centre, CAW Cell, she has been subjected to harassment. Ld. Counsel for the complainant also placed reliance on judgment titled as **Umesh Ray Vs. The State of Bihar & Anr. Case No. 176/2025 CrI. Misc. No. 7077/2026 dt. 17.02.2026** and **Bilal Ansari Vs. State (through SHO PS Jyoti Nagar) in Bail Appln. No. 3790/2024 Hon'ble High Court of Delhi.**

7. Heard. Record perused.

8. The brief facts, as per the reply of IO, are that the present case was registered on the complaint of Smt Kanika Garg wherein serious allegations of continuous cruelty, physical assault, mental harassment, dowry demands and sexual misconduct have been levelled against all accused persons namely husband Harshit Jindal, father-in-law Vijay Jindal, mother-in-law Asha Jindal, Brother-in-law Himanshu

Jindal and Sister-in-law Divisha Jindal. It is alleged that since the very inception of marriage, the complainant was subjected to persistent demands of huge cash amounts, expensive articles, jewellery and even a car, along with repeated beatings, abuses and humiliation for bringing insufficient dowry. The accused persons, in furtherance of their common intention, not only subjected her to grave physical and mental cruelty but also withheld her stridhan, threatened her with dire consequences, and created unsafe living conditions. Specific allegations also include regarding outraging modesty by the Brother-in-law Himanshu Jindal, repeated physical assaults including tearing of clothes, and deliberate harassment after the birth of two daughters.

9. There are allegations for commission of offences punishable under section 85/316(2)/3(5) BNS. The alleged offences are not heinous and are triable by a Judicial Magistrate and do not carry sentence more than seven years. The applicants have already joined the investigation. It is observed by superior courts in catena of judgments that cooperating with the investigation does not mean the accused agree with all the allegations. Therefore, denial of having *istridhan* in their possession by applicants/accused persons during interrogation is no ground to reject the anticipatory bail application. It is also pertinent to note that alleged non-recovery of articles of *stridhan* is also not a ground for rejection of anticipatory bail. Here, it is relevant to refer order passed by Hon'ble High Court of Delh on 04.05.2016 **in bail**

**application no. 578/2015 titled as Amiruddin vs State**, wherein it was observed that :

*6. In this behalf, it would be appropriate to refer to the decision of this Court rendered on 17th August, 2015 in Bail Application No. 1827/2014 titled **Anuj Kumar vs. The State**, wherein it was observed as follows:-*

*"In so far as the question of recovery, the complainant's stridhan i.e. the gifts showered by her in-laws at the time of her wedding is concerned, proceedings under **Sections 406/498A/34 IPC** are not meant for the recovery of jewellery and dowry articles. The applicant cannot be denied bail only on the ground that his release would render the recovery of stridhan difficult. (Ref: Ravi Pranja vs. State reported as 1997 JCC 123, Surjit Kaur vs. State and Another, BAIL APPN. 1711/2007 decided on 27.08.2007 and **Jagdish Thakkar vs. State** reported as 1993 JCC 117. In view of the ratio in the aforesaid decisions, the complainant can move the Civil Court for recovery of articles, if so advised."*

*7. In this view of the matter, there is no gainsaying the circumstance that non-recovery of stridhan cannot be a ground for rejection of an application seeking pre-arrest bail."*

10. In the present matter, there are general allegations that accused persons are in possession of her entire jewellery, ornaments and stridhan. No specific date and time of handing over of stridhan articles is mentioned in the complainant. No bill of jewellery articles have been handed over to the IO. Even otherwise, the applicants have joined the investigation and have clean antecedents. Though this Court holds highest regard for the decisions relied upon by the Ld. Counsel for complainant, however, the same would not be of any assistance to the complainant, in the manner, as sought to be relied upon by the Ld. Counsel for complainant. In judgment titled as Bilal Ansari (supra), the anticipatory bail application was dismissed, as the applicant had not joined the investigation despite notices issued to him u/s. 41.(A) Cr.P.C

and thereafter, issuance of NBWs against him. In judgment of Umesh Ray (Supra), there are serious allegations of commission of offence u/s. 109 BNS (307 IPC). Hence, considering the aforesaid facts and circumstances, **the present applications stand allowed.** In the event of arrest, applicants / accused persons be released on bail on furnishing personal bond / surety bond in the sum of Rs.25,000/- (each) to the satisfaction of IO / SHO concerned.

11. The applicants are directed to join the investigation as and when directed by the investigating agency. They shall also provide all the required cooperation to the IO.

12. Nothing stated hereinabove shall have any bearing on the merits of this case.

13. **Applications are disposed of accordingly.**

**(MUNEESH GARG)**  
**ASJ-03 (NORTH-WEST)**  
**ROHINI COURTS**  
**DELHI/08.06.2026**