

**IN THE COURT OF BISHAN SAROOP,
ADDITIONAL SESSIONS JUDGE,
MOGA (UID No.PB00449).**

CNR No.PBMO010024942026

CIS Filing No.BA/1012/2026

Date of order : 15.05.2026.

State

Versus

Kulwant Kaur wife of Balwinder Singh resident of Talwandi Rai, Sadar Raikot, Ludhiana Rural.

---Accused/applicant

FIR No.64 dated 20.03.2026,
U/ss 85, 316 (2), 61 (2) of BNS Act, 2023
Police Station :- Kot Ise Khan.

Bail Application under Section 482 of BNSS.

Present :- Ms. Vinod Jindal Advocate for accused-applicant
Ms. Gunwantjit Manesh, Additional Public Prosecutor for State
assisted by Sh. Amit Mittal, Advocate for the complainant

ORDER

Vide this order, I shall dispose of application for bail, particulars of which are giving herein above, preferred under Section 482 of B.N.S.S, by aforesaid accused/applicants.

2. The case of the Investigating Agency, in nutshell, is that FIR in question was registered against the accused on the basis of complaint moved by complainant Balwinderpal Singh before SSP, Moga wherein he has stated that his daughter Sukhpreet Kaur's marriage took place with Inderpal Singh, son of Balwinder Singh Hans, resident of village Talwandi Rai, Tehsil Raikot, District Ludhiana, on 23.04.2023 at Gurdwara Gurusar Sahib Patshahi Chhevi, village Khosa Kotla, District Moga, according to Sikh rites and rituals. As per the requests of family of accused, he spent approximately Rs. 30 lakh on the marriage from his side, and in accordance with demand of family of accused, he had given gold jewelry, ornaments, furniture, etc., to the accused persons and their relatives. The accused Inderpal Singh, lives in

Canada, and it was agreed between him and the accused before the marriage that after the marriage Inderpal Singh would take Sukhpreet Kaur to Canada with him. After that, the accused and his family demanded a dowry of Rs. 10,00,000 from them, upon which he and his wife Rajvinder Kaur, transferred Rs. 5,50,000 on 12.05.2023 to accused of Balwinder Singh and Rs. 4,50,000 on 15.05.2023 in the account of Kulwant Kaur from their joint account No. 2021100100002511, Punjab National Bank, Khosa Randhir branch, Tehsil Dharmkot, District Moga, via RTGS. All the expenses for his daughter Sukhpreet Kaur's travel to Canada were also borne by him. Now accused Inderpal Singh is neither renewing his daughter's work permit nor is he willing to keep his daughter with him. Accused Inderpal Singh and his family induced his daughter Sukhpreet Kaur with the promise of sending her abroad. Now his son-in-law Inderpal Singh, father-in-law Balwinder Singh, and mother-in-law Kulwant Kaur are demanding an additional amount of Rs. 25,00,000 from them as consideration for renewing his daughter Sukhpreet Kaur's work permit. All the dowry items as well as the gold jewelry of his daughter are in the possession of accused persons. On the basis of aforesaid complaint of complainant, enquiry was got conducted and after thorough enquiry, FIR was got registered against the accused/applicant and other co-accused.

3. Today ASI Nachhattar Singh has suffered his separate statement that he has brought the record concerning the present bail application. As per record, the accused/applicant has joined the investigation as per the order of the court dated 03.04.2026. No recovery was effected from the accused/applicant. No bail application of the accused/applicant is pending before the Hon'ble High Court.

4. Heard on the present application moved under section 438 Cr.PC. It is contended by learned counsel for the accused/applicant that accused/applicant has already joined the investigation with police and she is also fully cooperating with the investigating agency. Since, no recovery is to be effected from the accused/applicant, as such, her custodial interrogation is not required. Thus, the present bail applications be allowed.

5. On the other hand, learned Addl.PP for State assisted by the

learned counsel for the complainant has opposed the present bail application by all the dowry articles of complainant are in custody of the accused/applicant. They contended that that for recovery of dowry articles, the custodial interrogation of the accused/applicant is very much required. They further submitted that in view of the seriousness of the offence so committed by the accused/applicant, she does not deserve any kind of leniency as such, the bail application be dismissed.

6. After giving my thoughtful consideration to rival submissions and on careful perusal of the averments put in the application, contents of the FIR, statement so got recorded by ASI Nachhattar Singh coupled with the due assistance rendered, the court finds merit in the submissions of learned counsel of the applicant. Learned counsel for complainant has also submitted that recovery of dowry articles is yet to be effected from the accused/applicant but it has been held by the Hon'ble Punjab and Haryana High Court in case **Rajiv and others Versus State of Punjab 2014 (8) R.C.R. (Criminal) 1861** that *provisions contained in sections 406, 498-A IPC have not been enacted to get the alleged dowry articles recovered*. It has also been held by the Hon'ble Punjab and Haryana High Court in case **Bhupinder Singh etc. Versus State of Punjab 2014 (2) R.C.R. (Criminal) 109** that *anticipatory bail could not be rejected on the ground that dowry articles were not recovered from the accused*. Otherwise also, it is a general tendency to rope in all the near relatives of accused-husband in such like matrimonial disputes. Since, accused/applicant has already joined the investigation and as such, her custodial interrogation is not required. Considering all these facts and circumstances, the accused/applicant is found entitled for the grant of anticipatory bail. Accordingly, the interim bail granted to the accused/applicant vide order dated 03.04.2026 is, hereby confirmed and made absolute subject to compliance of provisions as envisaged under section 482 (2) of B.N.S.S, which are reproduced as follows:-

- (i) that applicant shall make herself available for interrogation by a police officer as and when required ;
- (ii) that the applicant 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 her from disclosing such facts to the Court or to any police officer ;

- iii) that the applicant shall not leave India without the previous permission of the Court.

Police record be returned and bail application file be consigned to the record room.

Pronounced.

Dated :- 15.05.2026.

Sunny Stenographer-II

(Bishan Saroop)

**Additional Sessions Judge,
Moga (UID No.PB00449).**

Present :- Ms. Vinod Jindal Advocate for accused-applicant
Ms. Gunwantjit Manesh, Additional Public Prosecutor for State
assisted by Sh. Amit Mittal, Advocate for the complainant

Today ASI Nachhattar Singh has suffered his separate statement that he has brought the record concerning the present bail application. As per record, the accused/applicant has joined the investigation as per the order of the court dated 03.04.2026. No recovery was effected from the accused/applicant. No bail application of the accused/applicant is pending before the Hon'ble High Court.

Arguments heard. Vide my separate detailed order of even date, present bail application has been allowed. File be consigned to the Record Room.

Pronounced.
Dated :- 15.05.2026.

Sunny Stenographer-II

(Bishan Saroop)
Additional Sessions Judge,
Moga (UID No.PB00449).