

**IN THE COURT OF MONICA SHARMA,
ADDITIONAL SESSIONS JUDGE, AMRITSAR
(UID NO.:PB00239)**

CNR No. PBAS010047532025



Case No. BA/1719/2025

Presented on : 19-03-2025

Registered on : 20-03-2025

Date of order : 19.04.2025

Duration :

State Versus Manjit Kaur.....Applicant-accused

FIR No: 19 dated 14.3.2025
Under Sections: 316,85 of BNS.
Police Station: Women Cell, Amritsar.

Bail application Under Section 482 of BNSS

Present: Sh. Nazar Ram Moom, Advocate, for the applicant-accused.
Sh. Sukhwant Singh, Addl.PP for the State assisted by Sh.
Hardeep Singh, Advocate, for the complainant.
ASI Kashmir Singh No. 1080 Amritsar appeared
alongwith record.

ORDER:

1. By this order, this Court intends to deal with the present bail application under Section 482 of BNSS having been filed by applicants/accused Manjit Kaur in FIR No. 19 Dated 14.3.2025, registered under Sections 316,85 of BNS, at Police Station Women Cell,Amritsar.

2. Notice of the bail application was served upon the State

through learned Additional PP attached to this Court alongwith copy of bail application, who received the same, appeared and contested the bail application on merits. Record was also summoned which has been received and perused. On 1.4.2025 ASI Kashmir Singh appeared and suffered a statement that applicant is mother in law of complainant. applicant-accused and co-accused committed cruelty upon the complainant on account of bringing less dowry and also raised the demand of demand Rs.10,00,000/-. Even she was given beatings and thrown out of the matrimonial house alongwith new born daughter. He further stated that notice u/s.41-A of Cr.P.C was served upon the applicant-accused but he did not appear and thus custodial interrogation of the applicant-accused is required.

3. The learned counsel for the applicant/accused has submitted that the applicant/accused is innocent and has been falsely implicated in this case. The applicant is mother in law of the complainant. She has not committed any offence. On 24.6.2024 the mother of the complainant came to the house of the applicant and took the complainant with them by force in the presence of applicant and other respectables without any rhyme and reason and while going she took all her documents and other costly articles and gold ornaments. It is submitted that son of applicant-accused has filed a petition u/s.9 of Hindu Marriage Act which is pending in the Family Court at Ludhiana, however, with respect to that petition, the complainant filed a transfer petition before the Hon'ble High Court in which applicant-accused appeared and after that present

false case was got registered by the complainant. It is further submitted that applicant/accused is ready to join the investigation but is apprehending his arrest at the hands of the police. Therefore, it is prayed that anticipatory bail be granted to the applicant/accused.

4. On the contrary, learned Additional Public Prosecutor for State assisted by Id. Counsel for the complainant contested the bail application while submitting that applicant/accused and other accused have maltreated the complainant, kept her dowry articles and misappropriated the same. They have turned her out the complainant after giving her beatings from the matrimonial house alongwith newly born female child. It is further submitted that there are allegations of bringing less dowry and demand of Rs.10,00,000/- raised from the complainant. It is argued that the applicant/accused is not entitled to the relief of anticipatory bail as allegations against him are serious in nature. Even applicant-accused failed to join the police proceedings despite service of notice u/s.41-A of Cr.P.C. It is submitted that keeping in view of above allegations of cruelty and misappropriation of dowry articles, custodial interrogation of applicant-accused is required. Thus, learned Addl.PP for the State implored for dismissal of the bail application.

5. I have heard the rival contentions and have also gone through the relevant record with the able assistance of the learned counsel for the applicant/accused and learned Addl.PP for the State assisted by Id. Counsel for the complainant.

6. The FIR has been registered on the statement of

complainant Navpreet Kaur on the allegations that her marriage took place with son of applicant-accused Samarjeet Snigh on 6.9.2022 and at the time of marriage, sufficient dowry articles were given. It is alleged that one gold Karra, gold ring, gold chain and cash in the amount of Shagun was given to the son of applicant-accused and apart from that gold ornaments were given to the family members of accused. It is alleged that same were entrusted to present applicant being mother-in-law and father-in-law, who have misappropriated the same. Complainant has further alleged that soon after the marriage, applicant and non applicant forced complainant to bring amount of Rs.10,00,000/- from her parents as they have not given sufficient dowry at the time of marriage. The complainant further alleged that in the year 2023 she started working in the firm and used to get Rs.12,000/-p.m as salary, however, applicant-accused and her son used to take the same from the complainant for their personal use. The amount of Rs.50,000/- was given by her father to applicant-accused and her son in November,2022 and December,2022, however, they were not satisfied. Thereafter a female child was born out of their wedlock and due to this reason behaviour of the applicant-accused and non applicant became worst. On 24.6.2024 parents of the complainant were called at the matrimonial home and they were forced to take complainant and newly born girl to their house. On these allegations, FIR was registered under Section 406,498-A of IPC after enquiry by the SHO Women Cell. It is submitted by Id. Counsel appearing on behalf of the applicant-accused that it is

complainant who alongwith her daughter left the matrimonial home and also has taken documents and other gold and costly articles. As far as allegations of entrustment, at this stage no detail of the same has been produced on record. Applicant-accused is mother-in-law of the complainant. The allegations are exceedingly generic in nature and can be proved only after culmination of the trial. Now applicant-accused is apprehending her arrest at the hands of the police in the present case and custodial interrogation of applicant-accused is not required. Even otherwise, the Hon'ble Supreme Court of India in a judgment titled as “**Arnesh Kumar V/s State of Bihar**” [2014\(3\) R.C.R-Criminal 527](#), has held that *no arrest shall be made on registration of FIR U/s [406/498-A IPC](#) or in any other case in which offence are punishable for less than 7 years unless and until strong reasons are given for the arrest of the accused.*

7. In view of the above discussion, before deciding the application on merits, it would be in the fitness of things that the applicant/accused be directed to join investigation which would be beneficial for the further progress of investigation. As such, applicant is directed to join investigation within 10 days by surrendering before the IO/SHO of the concerned police station. The applicant is directed to co-operate the Investigating Officer. In the event of arrest of the applicant, such Arresting Officer is directed to release the applicant on interim bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount to his satisfaction, subject to the conditions laid down under

Section 482(2) BNSS. Let the report of Investigating Officer/Arresting Officer be called for 30.4.2025. Police record be returned and be again produced on the date fixed.

Pronounced.
Dated: 19.04.2025

(Monica Sharma)
Additional Sessions Judge,
Amritsar.
(UID No.PB00239)

Sanjeev Kumar, Stenographer Grade I