

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

Date of decision:20.08.2015.

Mohinder Kaur

.....Petitioner

v.

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Chander Shekhar Sharma,Advocate for the petitioner

Jaswant Singh,J.(Oral)

CRM 26900/2015 is allowed subject to all just exceptions and Annexures P-16 to P-19 are taken on record.

CRM-M 14204/2015

Petitioner is mother-in-law of the complainant Sharanjit Kaur. Her son Ranjit who is a resident of New Zealand married complainant on 23.1.2002. Soon after the marriage he left for New Zealand and thereafter has abandoned his wife Sharanjit Kaur. Petitioner has a daughter who is married and settled in USA/Germany.

Present petition under Section 482 Cr.PC is directed against the order dated 16.4.2015 (P-5) passed by the lower appellate Court/ Additional Sessions Judge, Jalandhar whereby her application for leading additional evidence under Section 391 Cr.PC has been dismissed.

It is not in dispute that the petitioner stands convicted and sentenced to undergo RI for three years vide judgment dated 12.9.2013 in case FIR No.105 dated 15.8.2007 PS Bhogpur for the offences

under Sections 406/498-A IPC and the appeal is pending before the lower appellate court.

Learned counsel has argued that complainant has adduced in evidence fake bills (P-10 to P-15) of purchase regarding dowry articles,qua which an opportunity to lead evidence is required. It is further argued that it has been alleged that the father-in-law of the complainant was also presented a gift whereas he died way back in the year 1973.

After hearing learned counsel, this Court finds no ground to interfere.

The learned lower appellate court has rightly recorded that the said bills of purchase were never relied upon by the prosecution. The reliance was solely on a list Ex.PA enumerating dowry articles given by the complainant and duly signed by the petitioner. As regards the leading of additional evidence qua the factum of death of petitioner's husband, it cannot be denied that the said fact was throughout in the knowledge of the petitioner. It also cannot be accepted that full opportunity was not extended to the petitioner to lead her evidence.

For the reasons stated above, the present petition stands dismissed.

20.08.2015.
joshi

(Jaswant Singh)
Judge