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

**CRM-M-18902 of 2014**

**Date of Decision: September 07, 2015**

Avtar Singh and others

.....Petitioners

Vs.

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE SABINA**

**Present:** Mr. Shailender Mohan, Advocate for  
Mr. Vivek Khatri, Advocate  
for the petitioners.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. S.P.S. Sidhu, Advocate  
for respondent No.2.

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**SABINA, J.**

Petitioners have filed this petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.738 dated 29.08.2013, under Sections 498-A, 406, 323, 506, 34 of the Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Hansi, District Hisar, and all consequential proceedings arising therefrom.

Learned counsel for the petitioners has submitted that the marriage of respondent No.2 was solemnised with petitioner No.1 at Kapurthala and after marriage, they resided together as husband and wife at Tarntaran. Hence, the Court at Hansi had no jurisdiction to try the case. In support of his arguments, learned counsel has placed reliance on ***Manish Ratan & Ors. Versus State of M.P. & Anr.***, 2007 (1) R.C.R. (Criminal) 513, ***Rajesh Kumar and others versus State of***

**Haryana**, 2008 (2) R.C.R. (Criminal) 835, **Y. Abraham Ajith and ors. Versus Inspector of Police, Chennai and anr.**, 2004 (3) R.C.R. (Criminal) 988, **Savera Sidhu versus Harleen Sidhu and another**, 2011 (2) R.C.R. (Criminal) 442 and **Ramesh and others versus State of Tamil Nadu**, 2005 (2) R.C.R. (Criminal) 68.

Learned counsel for respondent No.2, on the other hand has opposed the petition and has submitted that on 23.11.2011 at the time of marriage of the younger sister of the complainant, accused had come to Hansi to attend the wedding and had demanded a Honda City Car and ₹5,00,000/- in cash. Mother of the complainant had given ₹1,00,000/- in cash to petitioner No.1 in the presence of other accused. Hence, the Court at Hansi had jurisdiction to try the case.

During the course of arguments, it has transpired that so far as petitioners No.3 and 5 are concerned, challan has not been presented against them. After investigation of the case, challan has been presented against petitioners No.1, 2 and 4.

Annexure P-1 is the copy of the FIR. Admittedly, petitioner No.1 had got married to the complainant on 09.11.2011 at Kapurthala. Thereafter, parties lived together as husband and wife at Tarntaran. Para-5 of the FIR reads as under:-

*“That on dated 23.11.2011, the marriage of the younger sister of the applicant has been solemnized at Hansi, Distt. Hisar (Haryana) and in the marriage the applicant came alongwith accused No.1, 2 and 5. These accused persons had also demanded a Honda City Car and Rs.5 lacs cash at Hansi and at that point of time, the mother of applicant has given Rs.1 lac cash*

*to accused No.1, in presence of the brother of the applicant and accused No.2 to 5. It has also been stated to the accused persons that her daughter not to be harassed on account of dowry in future. At that point of time, the accused had admitted the same.”*

Thus, in the present case, it cannot be said that no cause of action had arisen at Hansi. The incident which had occurred on 23.11.2011, had taken place at Hansi where the accused had raised demand of a Honda City Car and ₹5,00,000/- in cash and ₹1,00,000/- in cash were paid to petitioner No.1 by the mother of the complainant in the presence of other accused. After completion of investigation and necessary formalities, challan has already been presented against the petitioners No.1, 2 and 4. I have gone through the judgments relied upon by the learned counsel for the petitioner but the same fail to advance the case of the petitioners as they are based on different facts. Accused would be at liberty to take up all the pleas available to them before the trial Court at the appropriate stage.

In the facts and circumstances of the present case, no ground for quashing of FIR No.738 dated 29.08.2013, under Sections 498-A, 406, 323, 506, 34 IPC, registered at Police Station Hansi, District Hisar, is made out.

Dismissed.

**(SABINA)  
JUDGE**

**September 07, 2015**  
mahavir