

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

**Crl. Misc. No. M-32866 of 2014
Date of decision : 10.02.2015**

PreetiPetitioner

versus

State of Punjab & others ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rupesh Kumar, Advocate for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

Mr. K.S. Gill, Advocate for respondents No.4 to 6.

RITU BAHRI, J. (Oral)

Prayer in this petition is for issuing directions to respondents No.1 to 3 to register FIR against respondents No.4 to 6 under Section 307, 323, 325, 506, 406, 498-A, 34 and 120-B IPC.

Marriage of the petitioner was solemnised with Manjit Kumar son of respondents No.4 and 5 on 03.09.2008 according to Sikh rites. The mediator of the marriage is Kamla Rani wife of Paramjit Kumar, who is aunt (chachi) of the petitioner and sister of respondent No.4. The petitioner lived in a joint family and a female child was born in the year 2009. The petitioner faced harassment from respondents No.4 to 6 and they demanded dowry from the petitioner on the pretext that respondent No.6 is to be send abroad, therefore, she was to bring Rs.3 lacs for the said purpose. Father of the petitioner made an application on 04.05.2013 (Annexure P-4) to the Senior Superintendent of Police alleging that on 02.05.2013, when the

petitioner was alone in her matrimonial house respondent No.6 entered the room and made an attempt to outrage the modesty of the petitioner. She made hue and cry and thereafter she was given beatings by respondent No.6. In the meantime, her mother-in-law and father-in-law thrashed the petitioner badly. The petitioner suffered bodily injuries and escaped by running from the spot. Father of the petitioner came to the place of incident and took the petitioner to Civil Hospital, Phagwara, where she remained admitted from 02.05.2013 to 04.05.2013 and discharge certificate is Annexure P-2. Thereafter, complaints were made by the petitioner on 14.05.2013 and on 05.06.2013 (Annexures P-6 and P-7).

On notice, a reply has been filed by the Deputy Superintendent of Police, Phagwara on behalf of respondents No.1 to 3 that on receiving application bearing No.774-SSP dated 04.05.2013 enquiry was conducted by Ashwani Kumar, the then Deputy Superintendent of Police, Phagwara. As per the enquiry report (Annexure R-1/T), the petitioner was married to Manjit Kumar son of Tarsem Lal and due to strained relationship with Tarsem Lal, Manjit Kumar and his wife Preet were separated and they started residing on the Chabutra of the house. On 02.05.2013, when Tarsem Lal came back home after day's work, he was caught hold from his neck by his son Manjit Kumar and was given beatings and a report regarding this occurrence was recorded by ASI Onkar Singh. During enquiry, it was found that Manjit Kumar and his wife had given beatings and there is nothing on record to suggest that there is any demand of Rs.3 lacs from Preeti-petitioner. The petitioner and Manjit Kumar started demanding half

share out of ancestral house of Tarsem Lal whereas as per Tarsem Lal, he has got 2 sons, three daughters, wife and himself, Manjit Kumar becomes entitled to 12/7th share and no offence cognizable by police has been found to have been made out.

Respondent No.4 is present in Court today and an attempt was made for the purpose of amicably resolving their dispute by referring the matter to the mediation. But since the parties at this stage are not ready for an amicable settlement, keeping in view the enquiry report Annexure R-1/T, no further orders are required to be passed.

Disposed of.

10.02.2015
Vinay

(RITU BAHRI)
JUDGE