

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-3841 of 2014

Date of Decision: February 06, 2015

Jaspal Singh

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.A.S.Gulati, Advocate for
Mr.A.S.Sullar, Advocate
for the petitioner.

Mr.S.S.Pannu, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of FIR No.83 dated 02.03.2012 under Sections 406, 498-A, 420, 323, 324 and 120-B IPC registered at Police Station Mahesh Nagar, District Ambala and all the subsequent proceedings arising thereto.

Notice of motion was issued and learned State counsel appeared, filed reply and contested the petition.

Learned counsel for the petitioner argued that after the marriage, the parties are residing at Canada, therefore, the Court at Ambala has no jurisdiction in this case and the FIR is liable to be quashed. He further argued that this Court has already quashed the

FIR qua the parents-in-law of the complainant.

On the other hand, learned State counsel argued that as the dowry articles were handed over in District Ambala and the marriage was solemnized in District Ambala, therefore, the cause of action has arisen at Ambala.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the FIR, which is Annexure P-1, the marriage was performed at Gurudwara Sahib Village Saha, District Ambala on 22.11.2009. It is in the FIR that dowry articles were given at the time of marriage and list of dowry articles is attached as Annexure-B. It is also stated in the FIR that dowry articles, gold ornaments were delivered to the accused-persons with the bride Gurneet Kaur. It is further in the FIR that accused-persons have not returned the dowry articles including ornaments to the bride even after the demand.

In view of these allegations, in no way, it can be held that the Courts at Ambala has no jurisdiction in this case. There may be other causes of action like under Section 498-A IPC etc. arisen out of jurisdiction but cause of action under Section 406 IPC has arisen at Ambala as the dowry articles were entrusted at Ambala. Even if the cause of action has arisen for one offence i.e. under Section 406 IPC at Ambala, therefore, the Court at Ambala has jurisdiction to try this case and on this ground, the present FIR cannot be quashed.

As regarding the quashing of the FIR against parents-in-law, the Court has passed the order in view of the facts and

circumstances and allegations against them and the present FIR cannot be quashed on this ground automatically against the present petitioner, who is husband.

Therefore, finding no merit in the present petition, the same is dismissed.

February 06, 2015
Vgulati

(INDERJIT SINGH)
JUDGE