

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

**C.R.M-M No.39375-2015
Date of decision : 20.11.2015**

A.Sadiq Ali

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Dr. Amol Rattan Singh Sidhu, Senior Advocate with
Mr. Raj Kumar Chugh, Advocate
for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C.
for quashing of F.I.R. No.86 dated 18.02.2014 registered under Sections
406/498-A IPC at Police Station Panchkula, Sector 5, Panchkula.

Learned counsel has argued that the parties were married many
years ago and for most of their life they stayed in USA. They came back
and stayed together in Chennai for one year and no part of the cause of
action arose at Panchkula. In the complaint the following allegations were
made :-

*“That all the accused persons have criminally conspired
to commit cruelty and breach of trust against the complainant
and to harass her mentally and physically and with that*

ulterior motive, the husband of the complainant, his father, brother B.Jakir Hussain, Gusia Bee and Gulam Nabi Azad S/o B.Jakir Hussain came to the parental house of complainant and took her and her three children to Panchkula on 05.08.2013 while assuring that they were going for just two days whereas they had planned to leave the complainant and her children at her parental house and had taken return tickets only for themselves and not for the complainant and her three children. There they again raised the demand for cash for purchase of XUV Mahindra 500 Car in the name of accused No.1 but complainant's father showed his inability to pay any amount. This infuriated the accused and they misbehaved with the complainant and her family at Panchkula. This demand of accused persons made the complainant so upset that she committed to end her life but could not do so due to the love and affection for her children. The complainant demanded her entire jewellery and cash from the accused which they had withdrawn by misusing her debit card but the accused refused to return the same. She then told the accused persons that she will make a complaint to the police in this regard and the harassment being meted out to her upon which the accused tried to console her and told that accused No.1 would buy a car by raising loan. She told the accused that she would not be staying at her parental home along with her children as she did not want to burden them any more. It was only then that the accused persons were forced to buy tickets for her and her three children.”

These incidents are alleged to have taken place in Panchkula and therefore, it can not be said that no part of the cause of action arose at Panchkula.

In the circumstances, the argument of the learned senior counsel can not be accepted and even otherwise the present case is not covered by the doctrine laid down by Hon'ble Supreme Court in ***State Of Haryana And Ors vs Ch. Bhajan Lal And Ors, reported as AIR 1992 SC 604.***

Consequently, the petition is dismissed.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

20.11.2015

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**