

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

CRM-M-41141 of 2015

Date of decision: December 04, 2015

Neelam Aneja

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. B.D. Sharma, Advocate for the petitioner.

Rajan Gupta, J.

This is a petition under Section 482 Cr.P.C. seeking quashing of order dated 08.01.2015, passed by Judicial Magistrate 1st Class, Amritsar and also order dated 01.06.2015, passed by Additional Sessions Judge, Amritsar, whereby petitioner has been summoned under section 319 Cr.P.C. to face trial.

Learned counsel for the petitioner submits that allegations levelled by complainant Seema against the petitioner, who is her mother-in-law, are vague as there are no specific allegations against the petitioner. Thus, the summoning order is liable to be quashed.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears, FIR was lodged on statement of Seema with the allegations that her husband as well as mother-in-law harassed her on account of dowry and she was also beaten by them. She was even thrown

out of her matrimonial house just after 20 days of birth of the child. On the basis of FIR, investigation ensued. However, challan was presented by the police only against her husband Pankaj Aneja. During trial, statement of complainant was recorded wherein she has made specific allegations against her mother-in-law i.e. the petitioner. In view of same, prosecution moved application under section 319 Cr.P.C. which was allowed by the trial court vide order dated 8.1.2015. Revision petition filed against the said order has also been dismissed by Addl. Sessions Judge, Amritsar, vide order dated 01.06.2015.

I find no reason to differ with findings of the courts below. The complainant Seema at the time of lodging complaint with the police had made specific allegations of harassment and beating against her husband as well as mother-in-law, but the police filed challan only against her husband. While deposing in court, she again reiterated the allegations against both of them and therefore, petitioner has been rightly summoned by the trial court under section 319 Cr.P.C. to face trial. Thus, I find no infirmity with the order passed by the trial court. Revision petition is without any merit.

Dismissed.

(RAJAN GUPTA)
JUDGE

December 04, 2015
'Rajpal'