

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

CRM-M-43403-2014 (O&M)

Date of decision : 07.01.2015

Arvinder Kaur

...Petitioner

Versus

Harjit Singh Kataria and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

The present petition under Section 482 of the Code of Criminal Procedure, (for short, 'the Cr.P.C.') is for setting aside the order dated 25.09.2012 (Annexure P-1) passed by the learned Judicial Magistrate 1st Class, Amritsar, and order dated 16.10.2014 (Annexure P-3) , passed by the learned Additional Sessions Judge, Amritsar, whereby the application under Section 311 Cr.P.C., filed by the petitioner, has been dismissed.

Heard.

In nutshell, the case of the petitioner is that she wants to examine two witnesses, namely, Parminder Singh and Amit Kumar, who were allegedly present at the time of entrustment of dowry articles

to the respondent-husband.

For the first time, the petitioner has introduced two persons, namely, Parminder Singh and Amit Kumar, stated them to be witnesses to the entrustment of dowry articles. There is no explanation as to why these two persons were not named either in the complaint, or at the pre-summoning stage or in the pre-charge evidence. The marriage between the petitioner and respondent No.1 was solemnized on 05.05.1993. The list of dowry articles on record pertains to the household articles like utensils and bedsheets, etc. If the prayer made in the petition is allowed at this stage, this would occasion grave miscarriage of justice.

In the circumstances, no ground for interference in the impugned orders is made out. The present petition is consequently, dismissed.

07.01.2015

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(JITENDRA CHAUHAN)
JUDGE

Note : Whether to be referred to reporter ? Yes / No