

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

**Criminal Misc. No. M-4817 of 2015  
Date of Decision: 09.07.2015**

Amandeep Kaur

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

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

Present:- Mr. Jaswinder Singh, Advocate  
for the petitioner.

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**HARI PAL VERMA J.(Oral)**

Petitioner - Amandeep Kaur wife of Hardeep Singh, resident of 18A, Doordarshan Enclave, Phase-I, Lane-2, Gurdwara Street, Wadala Chowk, Jalandhar has filed the present petition under Section 482 CrPC for issuance of directions to respondent no.3 to effect recovery of the dowry articles and gold articles from respondent no.4 (As per list Annexure P-3). The dowry articles are subject matter of FIR No.11 dated 18.1.2013 under Sections 406/498-A IPC registered at Police Station, Women Cell, Jalandhar City.

Briefly stated, the facts of the case are that the petitioner got married with respondent no.4 (Hardeep Singh) on 6.2.2011 as

per Sikh religious rites. Immediately after 2-3 days of the marriage, the petitioner was maltreated on account of less dowry. Her parents were called inferior, for giving small car, as her in-laws were expecting luxury car and more diamond sets. Her qualification was also not liked by them. She made a complaint to the police on 5.3.2012 for torturing her and having an intention to kill her. However, she did not mention the details of cruelty and the harassment, as she wanted to live with her husband. On the said complaint, the in-laws of the petitioner were made to understand by the Superintendent of Police, Traffic and she was sent back to her matrimonial home. However, she was again subjected to physical and mental torture by her in-laws. Resultantly, the petitioner started living alone in the matrimonial home. Some of her ornaments are with her mother-in-law whereas some are lying in the locker, which is joint along with her husband Hardeep Singh (respondent no.4). Respondent no.4 has given an application to the Manager, Punjab & Sind Bank, SUS Nagar, Jalandhar to stop the operation and has filed a civil suit, which is pending before the Court the Civil Judge, Jr. Divn., Jalandhar. The petitioner has alleged that the respondent no.4 has mentioned her wrong address in the civil suit with a *mala fide* intention, as he wanted to dispossess her from the house. Thus, while praying for a direction to effect recovery of the dowry articles, the petitioner has attached a list of dowry articles and expenses incurred in connection with the marriage.

Learned counsel for the petitioner contends that the dowry articles, which are the subject matter of the aforesaid FIR, belong to the petitioner and respondent no.3 is required to be directed to effect recovery of the same from respondent no.4. Learned counsel further submitted that since the dowry articles and the gold ornaments belong to her and a list has been furnished, the respondent no.4 is under a legal obligation to hand over the same to the petitioner.

I have considered the aforesaid prayer of the petitioner.

The petitioner has got the remedy, as provided under the law, including under Chapter 34 (Sections 451 to 459) of the Code of Criminal Procedure, 1973, which deals with the disposal of the property. Therefore, the remedy under the law is available to the petitioner to approach the trial Court for the relief claimed in this petition. When there is a specific provision under a Statute for the relief claimed, the provisions of Section 482 CrPC cannot be invoked.

Accordingly, I find no merit in the present petition and the same is hereby dismissed.

July 09, 2015  
**ak**

**( HARI PAL VERMA )**  
**JUDGE**