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

CRR No.749 of 2013

Date of Decision: January 20, 2015.

Manjeet Kaur

.....Petitioner

Versus

Ram Parkash and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ajaivir Singh, Advocate
for the petitioner.

SABINA, J.

Respondents No.1 to 3 had faced trial in a compliant filed by the petitioner under Sections 406, 498-A of Indian Penal Code, 1860('IPC' for short). Trial Court vide judgment/order dated 14.03.2011 ordered the conviction and sentence of respondents No.1 to 3 qua commission of offence under Section 406 and 498-A IPC. Aggrieved against the said judgment/order, respondents No.1 to 3 as well as petitioner preferred appeals. The Appellate Court vide order dated 25.09.2012 allowed the appeal filed by respondents No.1 to 3 and dismissed the appeal filed by the petitioner. Hence, the present petition by the complainant.

I have heard learned counsel for the petitioner and have gone through the record available on file carefully.

Case of the petitioner in brief was that she had got married to respondent No.1 on 20.02.2002. Out of the said wedlock, three children were born. At the time of marriage of the petitioner, her parents had spent more than ₹3,00,000/-. However, respondents/accused were not satisfied with the dowry articles given by the parents of the petitioner and harassed her on

account of insufficiency of dowry. Accused raised a demand of generator set and had given beatings to the petitioner. Parents of the petitioner gave a generator set to the accused and requested the accused to behave properly with the petitioner. However, the attitude of the accused towards the petitioner remained unchanged and she was again harassed by the accused. Petitioner had been thrown out of the matrimonial home and efforts regarding reconciliation by the panchayat had proved futile.

Appellate Court while ordering the acquittal of respondents No.1 to 3 has held that the complainant had failed to prove her case as she had failed to corroborate her statement that various articles like generator set, refrigerator, ornaments etc. had been given to the accused. The witnesses examined by the complainant in support of her case had stated that complainant had not been given beatings by the accused in their presence and the said witnesses also did not state that the dowry articles were entrusted by the parents of the petitioner-complainant to the accused. Admittedly, children born out of the wedlock of the petitioner and respondent No.1 are in the custody of respondent No.1.

In these circumstances, the reasons given by the Appellate Court while allowing the appeal filed by respondents No.1 to 3 and dismissing the appeal filed by the petitioner, are sound reasons and call for no interference.

Dismissed.

**(SABINA)
JUDGE**

January 20, 2015
m.singh