

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 181 of 2015
Date of decision: 27.2.2015

Jaswinder Kaur

.....Petitioner

Versus

Jagdeep Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Jatin Salwan, Advocate
for the petitioner.

SABINA, J.

Respondents No. 1 to 4 had faced the trial qua commission of offence punishable under Section 498-A, 406 of the Indian Penal Code, 1860 in FIR No. 191 dated 15.11.2006, registered at Police Station Phul. Trial Court vide order dated 22.11.2011 ordered the acquittal of respondents No. 1 to 4. Appeal filed by the petitioner against the said order, was dismissed by the Appellate Court vide order dated 9.9.2014. Hence, the present petition by the petitioner.

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

Prosecution story, in brief, was that petitioner Jaswinder Kaur got married to respondent No. 1 Jagdeep Singh on 23.1.2000. Petitioner was permanently settled in America since the year 1996. At the asking of the accused, parents of the petitioner had given various gold ornaments as gifts to the family

members of respondent No. 1. Parents of the petitioner had spent ₹ 2,50,000/- at the time of marriage of the petitioner on food and other ceremonies. On 24.1.2000, Balwinder Kaur took the gold ornaments from the petitioner on the pretext that the same may not be misplaced or lost. Petitioner moved the necessary papers for sponsorship of her husband to America. Respondent No. 1 reached America after two years of the marriage. Petitioner had given 28,000 dollars to respondent No. 1 on different occasions. At the time of ring ceremony of the sister of respondent No. 1, petitioner gave ₹ 1,00,000/- through her relative Jaswant Singh to respondents No. 1 to 4. However, respondents No. 1 to 4 were not happy with the gifts given to them and petitioner was given beatings by Balwinder Kaur and Gurjit Kaur and was thrown out of the matrimonial home. Husband of the petitioner also started quarrelling with her and started giving beatings to her. Petitioner returned to India and went to the house of her in-laws to settle the matter. However, respondents No. 1 to 4 refused to return the gold ornaments and other articles to the petitioner.

The Trial Court while ordering the acquittal of respondents No. 1 to 4 has held that petitioner had started residing in America with her husband. It has been further noticed by the Trial Court that as per judgment Ex. DB passed by the Court in America, respondent No. 1 had given a house to the petitioner in Wood Bridge, Virginia, USA and the said property made up for the entire amount allegedly given by the petitioner to respondent No. 1 and his family members. It has further been noticed by the Trial Court that marriage of the petitioner and respondent No. 1 was solemnized on 23.1.2000. They lived together in USA and thereafter

moved a divorce petition in the Court in America alleging that they were residing separately since 10.6.2006 whereas the complaint in question was filed on 13.10.2006. Hence, it was evident that the complaint in question had been filed by the petitioner in India to involve the family members of respondent No. 1, who were residing in India.

In the facts and circumstances of the present case, the Courts below had rightly ordered the acquittal of respondents No. 1 to 4 of the charges framed against them.

No ground for interference is made out.

Dismissed.

**(SABINA)
JUDGE**

February 27, 2015

Gurpreet