

110

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

**CRR No.3705 of 2015 (O&M)
Date of decision: October 01, 2015**

Pawan Kumar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Ramender Chauhan, Advocate
for the petitioner.

SABINA, J

Petitioner and his co-accused had faced trial in FIR No.116 dated 19.05.2009, under Sections 406, 498-A, 323 read with Section 34 of Indian Penal Code, 1860 ('IPC' for short), whereas, accused Dipender had faced trial under Section 354 IPC, registered at Police Station Badhra.

Trial Court vide judgment/order dated 12.12.2013/ 16.12.2013 ordered the conviction and sentence of the petitioner under Section 498-A IPC. Co-accused Dipender was convicted and sentenced under Section 354 IPC. Co-accused Sajna and Ram Chander were acquitted of the charges framed against them. Appellate Court vide order dated 17.09.2015 dismissed the appeals filed by the petitioner and his co-accused Dipender as well as by the complainant. Hence, the present petition by the petitioner-Pawan Kumar.

Prosecution story, in brief, is that the complainant Sunita got married to the petitioner Pawan Kumar on

27.06.2007. Parents of the complainant had given sufficient dowry at the time of her marriage. Accused were not satisfied with the dowry articles and continued demanding a motorcycle and furniture. Complainant informed her parents in this regard, but she was sent back to her matrimonial home so that the matter could be reconciled. Complainant was threatened by her mother-in-law and father-in-law that in case, she returned to the matrimonial home without motorcycle and cash, she would be killed. Complainant again informed her father in this regard and the father of the complainant gave ₹20,000/- to the petitioner. After sometime, complainant was again given beatings by the accused and she was thrown out of the matrimonial home. Panchayat was convened and the complainant again returned to her matrimonial home. After few days, petitioner took the jewellery of the complainant. On 22.04.2009, Dipender cousin brother of the petitioner misbehaved with the complainant. When the complainant informed the said occurrence to her husband and other members of her in-laws family, she was given beatings.

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

In order to prove its case, prosecution examined the complainant as PW2, PW3 Leela Ram father of the complainant and PW4 Dharam Pal. Complainant while appearing in the witness box deposed as per the contents of

the FIR. PW3 and PW4 have corroborated the statement of the complainant. Thus, the prosecution had been successful in proving its case. Prosecution witnesses PW3 to PW5 duly established the case of the prosecution to the effect that the petitioner had been harassing the complainant with regard to demand of dowry. Hence, the Courts below had rightly ordered the conviction and sentence of the petitioner under Section 498-A IPC.

Hence, no ground for interference by this Court, is made out.

Dismissed.

(SABINA)
JUDGE

October 01, 2015
mahavir