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

CRM-M-23858-2014 (O&M)

Date of Decision: 22.04.2016

GURVEEN SINGH SOHAL AND OTHERS

... Petitioners

VS.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Anil Chawla, Advocate,
for the petitioners.

Mr. P.S. Paul, DAG, Punjab.

Mr. G.B.S. Dhillon, Advocate,
for the respondents No. 2 & 3.

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

KULDIP SINGH, J (ORAL)

The petitioners have filed this petition under Section 482 Cr. P.C. for quashing of the FIR No. 156 dated 21.05.2014 (*Annexure P-1*) under Sections 498-A, 406 IPC registered at Police Station, Civil Lines, Amritsar City, District Amritsar, and all consequential proceedings arising out of the aforesaid FIR.

I have heard learned counsel for both the parties.

Learned counsel for the petitioners states that petitioner No. 1 and 3 are husband and wife and living in USA and Canada. The FIR registered in India on the statement of the father of the respondent No. 3, is misuse of process of the Court. It is further argued that this Court has no territorial jurisdiction to decide the matter. So far as *locus standi* of the father of the

respondent No. 3 is concerned, since the dowry articles are claimed to have been given by him, therefore, he can be a competent complainant. He is not denying the fact that though the petitioners No. 1 and 3 living in USA and Canada but their marriage was solemnized in Amritsar on 25.11.2012.

As per the allegations leveled in the FIR, some dowry articles in the shape of gold ornaments were also given to the accused. Further, there are allegations that when parties were still in India, a demand of ₹ 25,00,000/- in cash and a Car was made. Even the girl was physically manhandled by the petitioners No. 1 and 3. It is further alleged that when respondent No. 3 went to USA, some dowry articles were handed over to girl, which were also taken away by the husband. In view of the aforesaid allegations, it is apparent that major part of the crime was committed in India, therefore, the Indian Court has apparently got territorial jurisdiction to decide the matter.

So far as the merits of this case are concerned, it is a matter of evidence. The petitioners place on record some e-mails which are to be appreciated by the lower Court during the trial. Other allegations and the effect of not recording the statement of respondent No. 3 i.e. the wife of petitioner No. 1, is also to be gone into by the lower Court. Petitioner No. 1 himself is a proclaimed offender before the lower Court.

In these circumstances, this Court is not inclined to quash the FIR in question. Let the matter be decided by the lower Court on merits.

The petition stands dismissed accordingly.

[KULDIP SINGH]
JUDGE

April 22, 2016
Suresh Kumar