

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

**CRM-M-25192-2015 (O&M)
Date of decision: 10.03.2016**

Sunita Rani

.....Petitioner(s)

versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mrs. G.K. Mann, Advocate
for the petitioner.

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ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking quashing of order dated 23.12.2014 (Annexure P-3), vide which the trial Court refused to summon some of the accused.

Sunita filed a complaint against her husband, mother-in-law, father-in-law, brother-in-laws and the sister-in-law. The mother-in-law and the father-in-law died before the summoning order could be passed. The trial Court vide order dated 23.12.2014 summoned the husband, Rajesh and his brother Rajan under Sections 406, 498-A, 34 IPC. It refused to summon the remaining accused.

A revision was filed which came to be dismissed on 10.04.2015. Still not satisfied, the complainant has filed this petition under Section 482 Cr.P.C.

I have heard counsel for the petitioner.

The counsel extensively referred to the complaint and the allegations made therein. The submission was that there were similar allegations against the husband and the brother-in-law, therefore, there was no reason why they were not summoned. It was urged that the complainant had named and had given similar role to them and they should have been summoned.

On the complaint made by the wife, the police had registered an FIR under Sections 406, 498-A IPC on 14.01.2011 wherein only the husband was challaned. The complainant then filed a complaint and named the rest of the family members of the husband as well.

The allegations against the brother-in-law were that a refrigerator was entrusted to Rajan Kumar and a washing machine & steel almirah were entrusted to respondents no.5 & 6 which appears on the face of it to be false. The allegations also were that the husband and the in-laws were harassing the complainant and all of them were not satisfied with the dowry that was given.

The allegations made against the accused are vague. No specific instances or incidences were given. The Courts below had rightly refused to summon them. There is tendency to involve the relatives of the husband. It is a case of over-implication and made out of frustration to widen the net. There is no reason to take a different view.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

10.03.2016
Sunil