

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

CRM No.M-35697 of 2011 (O&M)
Date of Decision: February 24, 2016

Shree Krishan Rathi and another Petitioners

VS.

State of Haryana and another Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Arun Singal, Advocate for the petitioners.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

Mr. R.S. Rai, Senior Advocate with
Mr. Gautam Dutt, Advocate for respondent No.2.

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)

Petitioners seek quashing of FIR No.102, dated 18.04.2011, registered under Sections 498-A, 406, 323, 506 read with Section 34 IPC at Police Station Sector-5, Panchkula along with all the consequential proceedings arising therefrom.

It is stated that Anita Chaudhary (respondent No.2) was married with Roopak Rathi, son of the petitioners and thereafter the parties shifted to U.K. and started residing there. Their marriage was dissolved by Bentford Country Court by issuing such certificate on 19.05.2011. It is also stated that the FIR was lodged as a pressure tactics. It is contended that no dowry was taken at the time of marriage.

A perusal of the FIR shows that the allegations of harassment and dowry have been levelled. The complaint was filed before the divorce petition was finalized in U.K. Court.

Keeping in view the fact that the allegations have been levelled and the truthfulness of the said allegations cannot be determined in the quashing proceedings, it is appropriate that the petitioners should raise all the pleas during trial.

In these circumstances, after going through the file and the documents, this Court does not find sufficient ground to interfere at this stage by way of quashing the FIR in question. The petitioners are at liberty to raise all the available pleas before the trial court at appropriate stage.

Accordingly, the present petition stands dismissed.

February 24, 2016
sarita

(KULDIP SINGH)
JUDGE