

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

**Crl. Rev. No.1478 of 2016
Date of decision : 23.05.2016**

Anita Rani

.....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Samarth Sagar, Advocate
for the petitioner.

ANITA CHAUDHRY, J.

This revision is directed against the order dated 05.01.2016, passed by the Additional Sessions Judge, SBS Nagar, vide which the judgment passed by the Magistrate on 19.02.2015 was upheld and respondents no.2 to 8 were acquitted.

It would be necessary to sketch the brief facts. The complainant was married to Kundal Lal on 23.11.2005. All was well till the Lohri Festival, which falls in the month of January. The accused named by her (eight in number) started torturing her for bringing less dowry and was beaten up. Allegations were levelled that she was forced to get a motorcycle, gold ornaments, a horse and Rs.1 lac cash. She moved a complaint to Deputy Commissioner, Nawanshahar, which was marked to S.D.M. Nawanshahar for enquiry. During those proceedings, a written assurance was given by the husband that he would not repeat. Later a

petition under Section 9 of Hindu Marriage Act was filed by Kundal Lal where complainant expressed her willingness to go back to her matrimonial home but Kundan Lal did not take her as he did not have a house of his own and she was not allowed to enter the house by his parents. The husband sought time to find a accommodation. The allegations were that she was beaten by all the accused when they were in the Court premises. The matter was investigated and on the recommendation of a Senior Police Official, a case under Section 498-A IPC was registered only against the husband. The complainant was dis-satisfied and filed a complaint against the other relatives wherein all of them were summoned. Both the FIR case and the complaint case were ordered to be clubbed. Charge was framed against the accused who were challaned by the police and also against the others who were summoned in the complaint case. The trial Court acquitted the husband as well as the relatives of the husband in the complaint case. An appeal was preferred by the complainant and the Court went into the correctness of the judgment of the trial Court and rejected the pleas raised by the complainant. It found that false allegations had been levelled and the complainant had produced bills to show that some articles were purchased before marriage pursuant to the demand before marriage. It noted that the bills though were dated 13.11.2015 and supposedly a date prior to the marriage but on the bill Anita had been shown as wife of Kundan Lal even though the marriage had not been solemnized by then. The falsity was found in the story as some vital admissions were made by the complainant. The bills were said to have been scribed by the complainant and her father. A categorical finding was given that the bills had been prepared after the registration of the case. Both the Courts below found that there were general

allegations and no specific instance had been given. It also noted that the complainant had tendered apology for her mistakes and had given a written compromise.

I have heard the counsel for the petitioner at length and I find no discrepancy or illegality in the judgments passed by both the Courts below. Finding no merit, the revision is dismissed.

23.05.2016

Sunil

(ANITA CHAUDHRY)
JUDGE