

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

CRM-M-13374-2016 (O&M)

Date of decision: 30.10.2017

Jyoti

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms.Jasneet Mehra, Advocate for the petitioner

Mrs.Anju Arora, Addl.AG, Punjab
assisted by ASI Mohinder Pal

Mr.Manish Dadwal, Advocate for respondent Nos. 4 to 6

JITENDRA CHAUHAN, J.

CRM-26465-2017

For the reasons mentioned in the application, the same is allowed and reply on behalf of respondent Nos. 4 to 6 is taken on record.

CRM-M-13374-2016

The present petition under Section 482 of the Code of Criminal Procedure has been filed for issuance of directions to respondent Nos. 1 to 3 to protect life and liberty of the petitioner at the hands of respondent Nos. 4 to 6 and also to take action against them as per law.

The petitioner, a mother of three children, having matrimonial discord with her husband, was allured by respondent No.4 on the pretext of marrying her. Initially, proposal and advances of

respondent No.4 were resisted by the petitioner. However, she ultimately succumbed to the pressure of respondent No.4 when he allegedly threatened to eliminate her children alongwith her husband. The petitioner accompanied respondent No.4 at various places and some time stayed with the family of respondent No.4. It is also asserted that the family members of respondent No.4 were aware of the relationship maintained by the petitioner and respondent No.4.

On the other hand, learned counsel for respondent Nos. 4 to 6 asserted that the petitioner is a married lady and they have nothing to do with her matrimonial life. There is a reference of compromise arrived at in the police station Tibber, wherein the petitioner admitted her fault and tendered apology to the respondents and started residing at her matrimonial home.

Heard.

For the redressal of her grouse, the petitioner had filed a complaint dated 12.10.2015, (Annexure P1) addressed to Senior Superintendent of Police, Gurdaspur. As per the enquiry report, the petitioner was found to be having physical relationship with respondent No.4. A statement before the SHO, Police Station Tibber was also made by her that she went alongwith respondent No.4 on her own wish without any pressure by him. As per enquiry, *prima facie* offence under Section 498 IPC was found to be made out against respondent No.4. The said offence is non-cognizable. The petitioner has already been given liberty to proceed against respondent No.4 as per law.

In view of the above, no further action is warranted in the matter and as such, the present petition is dismissed.

30.10.2017
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?	Yes	/	No
Whether reportable?	Yes	/	No