

In the High Court of Punjab and Haryana at Chandigarh

CRM-M- 15447 of 2017
Date of Decision:4.5.2017

Gurdial Singh

---Petitioner

vs.

State of Punjab and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Atul Lakhanpal, Advocate
for the petitioners

Rekha Mittal, J.

By invoking Section 482 of the Code of Criminal Procedure (in short "Cr.P.C."), the petitioner prays for issuance of direction to the Senior Superintendent of Police, Rupnagar-respondent No. 2 to inquire into the representation dated 16.3.2017 (Annexure P-6).

Counsel for the petitioner has submitted that Sukhwinder Kaur daughter of the petitioner was married to Aninderjit Singh on 15.11.2015. Earlier, Aninderjit Singh was married to Sandhya Gupta. Sandhya Gupta filed a divorce petition (Annexure P-3) levelling allegations against her husband qua misappropriating property which she had inherited from her father on the basis of Will. Later, the dispute was settled vide compromise (Annexure P-4). It is submitted that when the terms and conditions of the compromise are examined in the light of allegations raised in the petition

for divorce, it can be safely inferred that Aninderjit Singh took advantage of Sandhya Gupta as she had no support of her parental family. It is further submitted that the petitioner and her daughter were told by the neighbours that the accused allured Sandhya Gupta to meet her daughter at their residence on 27.4.2015 and on the same day, she died of having consumed poison. Further submitted that on 18.2.2017 when the case filed by daughter of the petitioner under the Protection of Women from Domestic Violence Act, 2005 was fixed in the Court of Additional Civil Judge (Senior Division), Kharar, the accused threatened the petitioner and his daughter of dire consequences that if they do not withdraw the cases against them, daughter of the petitioner will meet the same fate as the first wife who had also filed cases against them. The petitioner has made a detailed representation dated 16.3.2017 (Annexure P-6) to respondent No. 1, therefore, a direction may be issued to respondent No. 2 to register an FIR and investigate the matter.

I have heard counsel for the petitioner, perused the paper book and find that the present petition is highly misconceived and merits outright rejection.

The present petition appears to be the result of a proxy war sought to be raised by the petitioner due to marital disharmony between daughter of the petitioner and Aninderjit Singh. The allegations sought to be raised by the petitioner do not get substantiated from any materials on record rather get negated from DDR No. 25-A dated 28.4.2015 (Annexure P-5) purported to be recorded at the statement of Aarti wife of Vijay Kumar, elder sister of Sandhya Gupta.

For the foregoing reasons, the petition is ordered to be dismissed.

(Rekha Mittal)
Judge

4.5.2017
paramjit

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No