

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

CRM-M No. 18238 of 2017(O&M)

Date of decision: 22.5.2017

Deepika Giri

....Petitioner

VERSUS

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. J.S. Cooner, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

The present petition directs challenge against orders dated 28.03.2017 (Annexure P-1) passed by the Additional Sessions Judge-I, Panchkula and dated 10.01.2017 (Annexure P-2) by the Additional Chief Judicial Magistrate, Panchkula whereby application filed by the petitioner for releasing Polo Car bearing No.HR-03S-4348 on Superdari has been rejected.

Counsel for the petitioner has submitted that though the aforesaid car was registered in the name of Kirti Bhardwaj – respondent No.2 with whom the petitioner performed marriage on 19.04.2015 but as a matter of fact, this car was given in dowry to the petitioner, therefore, petitioner has the right to recover the car. It is further submitted that the petitioner is in possession of photographs to prove that car was given at the time of marriage.

I have heard counsel for the petitioner, perused the paper-book particularly the orders impugned.

The Court in revision has noticed that registration of the car is in the name of respondent. The revisionist (petitioner herein) has not placed on record any document such as withdrawal of sale amount from her bank account or of her parents or any other family member to prove payment qua purchase of car. In absence of any cogent and convincing material, it would be pre-mature to say that car was purchased with funds arranged by the petitioner or her parents.

Counsel for the petitioner is not in a position to advance any meaningful arguments to challenge these factual findings recorded by the Revisional Court. He has not placed on record any document to prove that money for the purchase of car was spent by the petitioner or her parental family. In view of the above, I do not find any error much less illegality in the impugned orders warranting intervention.

For the foregoing reasons, the petition fails and is accordingly dismissed. However, nothing stated hereinbefore shall be construed as an expression of opinion on merits at the time of final adjudication of the case.

MAY 22, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no