

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5510-2017 (O&M)
Date of Decision:- 20.02.2017

Rano

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Mohd. Salim, Advocate, for the petitioner.

RITU BAHRI, J. (Oral)

Petitioner is seeking quashing of order dated 05.07.2016 (Annexure P-3), passed by JMIC Malerkotla and order dated 22.08.2016 (Annexure P-5), passed by learned Additional Sessions Judge, Sangrur whereby the application under Section 319 Cr.P.C. has been dismissed.

As is evident from the record, in the present case after registration of FIR (Annexure P-1) at the instance of complainant Rano, investigation was carried out and the challan was presented only against Hardeep Khan, who is husband of the complainant. Their marriage was solemnized on 06.11.2002, according to Muslim Rites and Ceremonies. As per the complainant, after the marriage, her in-laws have maltreating her on account of demand of dowry. She was forced to leave the matrimonial house. After presentation of the challan, she appeared as witness PW-1 and reiterated the allegations as stated in the complaint. Further, the complainant has stated that all the accused persons have participated in the commission

of offence as they have used to maltreat her under the demand of dowry. Consequently, the application filed by complainant for summoning Sinder, Bimla and Pammo alias Paramjit, as additional accused, has been dismissed, vide order dated 05.07.2016 (Annexure P-3), passed by Judicial Magistrate 1st Class, Malerkotla, on the ground that all the allegations levelled by the complainant were false and general in nature.

The revision filed by the petitioner against the said order has also been dismissed by the learned Additional Sessions Judge, Sangrur, vide order dated 22.08.2016 (Annexure P-5).

After hearing the learned counsel for the petitioner, going through the record, this Court is of the considered view that both the Courts below have rightly passed the impugned orders after appreciating the evidence in the correct prospective and the same do not require any interference. Such orders, containing valid reasons, cannot possibly be interfered with by this Court, in exercise of jurisdiction of this Court under Section 482 Cr.P.C., unless and until, the same are illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the petitioner-complainant, so, the impugned orders deserve to be and are hereby maintained in the obtaining circumstances of the case.

In the light of aforesaid reasons, as there is no merit, therefore, the instant petition is hereby dismissed as such.

February 20, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No