

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

Crl. Revision No. 2032-2016

Date of decision : 3.4.2017

Anjula

....Petitioner

versus

Rajeev Garg and ors

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.D. Yadav, Advocate for petitioners.

RITU BAHRI, J.

Present revision petition has been filed against the judgment dated 26.4.2016 passed by the learned Chief Judicial Magistrate, Panipat whereby complaint filed by the revisionist under Section 498-A, 406 IPC against the cancellation of FIR No. 622 dated 12.5.2011 Police Station City Panipat was dismissed.

Brief facts of the case are that complainant was earlier married to Kamal Jain and without taking divorce from him, she solemnized second marriage with Rajiv Kumar Garg who was accused in the FIR in question. For the purpose of constitution of Section 498-A IPC, the relationship of the complainant with accused No. 1 is required to be established as wife and husband. As far as Section 406 IPC is concerned none of the witnesses i.e. CW1 Om Parkash, CW2 Mahender Singh, CW3 Dhanesh Kumar Jain and CW 4 Anjula Jain had stated that there was criminal breach of trust committed by the accused persons or they had retained the dowry articles despite having been demanded by the complainant.

After registration of the FIR in question, cancellation report was prepared and accepted by the Illaqa Magistrate on the ground that accused persons have been falsely implicated under Sections 498-A/406 IPC.

In view of above, no ground is made out in allowing the present petition.

Dismissed.

(RITU BAHRI)
JUDGE

3.4.2017
preeti

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