

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 31602 of 2015 (O&M)

Date of decision : 12.10.2018

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Meenakshi Hooda and another

.....Petitioners

vs.

Janvi Singh

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. S.P. Chahar, Advocate for the petitioners.

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H. S. Madaan, J.

This petition under Section 482 Cr.P.C. for quashing of complaint No. Comp DV Act/27/2015 dated 27.2.2015, titled as 'Janvi Singh vs. Amit Ahlawat and others', for offences under Sections 12,17, 18, 19, 20, 22 and 27 of Domestic Violence Act, 2005, pending in the Court of Additional Chief Judicial Magistrate, Chandigarh and impugned summoning order dated 27.2.2015, has been filed by petitioners Meenakshi Hooda and her husband Gaurav Hooda, both of them being respondents in that complaint.

Inter alia in the petition, it is submitted that petitioner Meenakshi Hooda is sister-in-law (Nanad) of respondent Janvi Singh, whereas petitioner Gaurav Hooda, is husband of Meenakshi Hooda. The petitioners were got married on 27.11.2007, i.e. much prior to the marriage between respondent Janvi Singh and Amit Ahlawat which was solemnized on 29.2.2012. The allegations against the petitioners

are very general. According to the petitioners, they are residing at Rohtak much prior to the marriage between Janvi Singh and Amit Ahlawat. Janvi Singh and Amit Ahlawat had their separate matrimonial home at Rohtak. They did not have any shared household with the petitioners. The petitioners have been roped in as a pressure tactics only. Therefore, the petition be accepted.

Notice of the petition was given to the respondent, who was served but did not put in appearance.

I have heard learned counsel for the petitioners, besides going through the record and I find that keeping in view the assertions made in the petition, which have been discussed above, the petitioners did not have any joint mess or business with the complainant and they seem to have been roped in wrongly, to pressurize husband of the complainant. It is well recognized by even Courts now that in case of the matrimonial disputes, there is a tendency to rope in as many persons as possible from the husband's side. The complaint in hand seems to be of that type and it is an abuse of the process of law with respect to the petitioners.

Accordingly, the petition is allowed and the abovesaid complaint qua the petitioners, alongwith ancillary proceedings are hereby quashed.

12.10.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes/ No

Whether reportable

Yes/ No