

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

Crl. Misc. No.M-3801 of 2018 (O&M)

Date of decision : 23.08.2018

Dulichand and another

.....Petitioner(s)

Versus

The State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Tanmoy Gupta, Advocate
for the petitioners.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking quashing of FIR No.900 dated 03.12.2016, registered under Sections 498-A, 406, 323, 506, 34 IPC at Police Station Camp Palwal, District Palwal.

Counsel for the petitioners contends that the petitioners are the father-in-law and the mother-in-law of the complainant and their son Krishan was married to respondent no.2 in February 2010. The counsel submits that challan has been presented and charge has been framed and respondent no.2 had left the matrimonial home in 9.06.2012 and allegations have been levelled that she was thrown out of the matrimonial home after beatings but it was the husband who took her wife for medical check-up on 11.06.2012. The counsel urges that a petition under Section 9 of the Hindu Marriage Act was filed by the husband in December 2014 but the wife did not appear and she was proceeded *ex parte* and it was allowed in January 2015 but they did not file any execution and thereafter the husband filed the divorce petition but it has been dismissed. The counsel submits that the

complaint had been given as a counter blast and there was no complaint earlier and there is no medical report. The counsel further submits that vague allegations have been levelled against the petitioners.

A perusal of the FIR shows that there are specific allegations against the petitioners who are the father-in-law and the mother-in-law of beating and demanding dowry. There are allegations that she was beaten up and thrown out of the house on 09.06.2012. The police had investigated the case and had filed the challan and the case is at the stage of trial. The charges were framed in June 2017 and trial has commenced. Since there are specific allegations, those will have to be examined by the trial Court. The fact whether the FIR had been lodged as a counter blast is again a question to be decided by the trial Court. No case for quashing is made out.

The petition is dismissed in limine.

23.08.2018

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No