

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41239-2018 (O/M)
Date of decision : 18.9.2018

Manisha Wagle and another Petitioners

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Petitioners in person.

Mr. Gautam Dutt, Additional P.P.,
for UT Chandigarh.

Mr. Saurav Khurana, DAG Punjab.

Mr. Nagar Singh, Advocate,
for Ms. Manjit Kaur, wife of Mandeep Singh
(petitioner No. 2).

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KULDIP SINGH, J. (ORAL).

In pursuance to order dated 18.9.2018, passed by this Court today, the learned Registrar (Vigilance) of this Court has conducted preliminary inquiry under Section 340 Cr.P.C. read with Section 195 Cr.P.C. and has submitted his report in the afternoon. In the report, the learned Registrar (Vigilance) of this Court, after recording evidence has come to the conclusion that both petitioners, namely, Manisha Wagle and Mandeep Singh, have committed offences under Sections 193, 199, 209, 406, 494 IPC read with Section 120-B IPC. As such, both petitioners, namely, Manisha Wagle and Mandeep Singh are ordered to be taken into custody. The learned Registrar (Vigilance) of this Court is directed to make a criminal case against both petitioners to the learned Chief Judicial Magistrate, Chandigarh, and forward both petitioners-accused in custody

to the learned Chief Judicial Magistrate, Chandigarh, for dealing the matter in accordance with law.

In view of matter, petition stands dismissed.

Let the original file and inquiry report be also attached with the complaint to be filed by the learned Registrar (Vigilance) of this Court before the learned Chief Judicial Magistrate, Chandigarh. Photocopy be retained in office. The learned Registrar (Vigilance) of this Court can depute some official from the High Court to present the complaint alongwith original file before the learned Chief Judicial Magistrate, Chandigarh. Custody of petitioners-accused, namely, Manisha Wagle and Mandeep Singh, is handed over to Ms. Poonam Dilawari, Station House Officer, Police Station, Sector-3, Chandigarh.

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sjks

Manisha Wagle and another Versus State of Punjab and others

Present:- Petitioners in person with Ms. Suman Kumari, Advocate, for,
Ms. Gurmeet Kaur, Advocate.

Mr. Saurav Khurana, DAG Punjab.

Ms. Manjit Kaur first wife of Mr. Mandeep Singh (petitioner
No. 2) accompanying her child, father and other relatives in
person with Mr. Nagar Singh, Advocate.

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Petitioners have filed present petition stating that they are unmarried and that they are major. They further claim that they have married against wishes of their parents on 15.9.2018 at Prachin Shiv Mandir, MDC, Panchkula. The photographs of marriage have also been placed on petition as Annexure-P-3. Alongwith present petition, affidavits of petitioners have also been attached.

At the time of hearing, Ms. Manjit Kaur, first wife of petitioner No. 2 Mr. Mandeep Singh, resident of H. No. 2541, Near Old Gaushala, Ropar Road, Machhiwara Sahib, Tehsil Samrala, District Ludhiana, has appeared alongwith her child, father and other relatives and filed her affidavit alongwith photographs of marriage with Mr. Mandeep Singh (petitioner No. 2) in Court today and same are taken on record. She has stated before this Court that she is legally wedded wife of petitioner No. 2 Mr. Mandeep Singh and has got a child from said marriage. She has also produced photographs of marriage. When questioned, Mr. Mandeep Singh (petitioner No. 2) has not denied that Ms. Mandeep Kaur, who is present in Court today, is his wife and out of their wedlock, a child is born. Therefore, prima-facie, Mr. Mandeep Singh (petitioner No. 2) has filed a petition containing false averments that he is unmarried and has also filed affidavit in support of same.

In these circumstances, Mr. Mandeep Singh (petitioner No. 2) is ordered to be taken in custody. Let both petitioners as well as Ms. Manjit Kaur, wife of Mr. Mandeep Singh (petitioner No. 2) and persons accompanying her appear before Registrar (Vigilance) of this Court, who shall conduct inquiry against petitioners under Section 340 Cr.P.C. read with Section 195 Cr.P.C., record statements of parties today itself and submit his inquiry report to this Court in the afternoon as to what crime is committed by petitioners, so that further action in accordance with law can be taken.

(KULDIP SINGH)
JUDGE

18.9.2018
sjks