

264.

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

CRM-M-34871-2018

Date of decision: 08.08.2019

ISLAM @ PAPPU

... Petitioner

versus

STATE OF HARYANA AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 Cr.P.C. is to take appropriate legal action against the accused persons in FIR No.122 dated 26.06.2018 under Sections 323, 328, 34, 498A of IPC registered at Police Station Pinangwa, District Nuh.

It is the primary grievance of the petitioner that after the registration of FIR, police is not taking any action against the accused persons on the basis of this FIR. As per the FIR, petitioner's daughter Fatima was married with Naseem son of Hasan about one year back. However, after marriage, Naseem (husband), Hasan (father-in-law), Siara (mother-in-law), Ruma (son of Hasan), Sehnaz (wife of Khalid) and Khalid (son of Hasan Mohammad) started beating his daughter for not bringing car in the dowry, and they have thrown her out of the matrimonial home many times. Thereafter, panchayat was convened. On 25.06.2018 in the morning, an information was received that his daughter was given beatings and has been administered poison. Thereafter, she was admitted in Himat Rai Hospital,

Pinangwa. When the complainant reached hospital, he was not allowed to meet his daughter. In this manner, FIR was registered.

The status of the aforesaid FIR has been downloaded from the official website of the Sessions Court Mewat. A perusal of the judgment dated 05.03.2019 passed by Additional Sessions Judge, Fast Track Court, Mewat shows that the charges in the case were framed against the accused for the offences under Sections 323, 328, 498-A, 304-B and 216 read with Section 34 of IPC on 29.01.2019. The petitioner, who is father of the deceased-Fatima, appeared as PW1, but he did not support the case of the prosecution. He had deposed that there was no demand of dowry from the in-laws of his daughter and her relationship with them was very cordial. He has solemnized simple marriage of his daughter, but his daughter suffered from mental problem right from her birth and was in a state of acute depression and illness. It is because of her illness, she consumed poison on 25.06.2018. The accused did not contribute to her death in any manner.

Accordingly, vide judgment dated 05.03.2019, the trial Court, after appreciating the evidence on record, acquitted the accused of the charges levelled against them.

In view of above, when the accused in the present FIR have already been acquitted by the trial Court, the present petition is rendered infructuous and the same is accordingly disposed of.

(HARI PAL VERMA)
JUDGE

08.08.2019
sanjeev

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