

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

CRM-M No.23540 of 2019
Date of decision: 21st August, 2019

Shilpa Khanna

... Petitioner

Versus

Amit Khanna

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ajay K. Kansal, Advocate for the petitioner.

FATEH DEEP SINGH, J.

The petitioner Shilpa Khanna has invoked jurisdiction of this Court under Section 482 Cr.P.C. against respondent husband Amit Khanna seeking directions to the trial Court to dispose off her application under Section 31 of the Protection of Women from Domestic Violence Act, 2005 (in short, 'the DV Act') moved on 01.07.2018.

Heard Mr. Ajay Kumar Kansal, Advocate for the petitioner and perused the records.

It was in consequence of the submissions made at the preliminary hearing by learned counsel for the petitioner on 22.05.2019, the Court had called for the trial Court records and as is there reflected from the records, initially the wife in her complaint under Section 12 of the DV Act moved on 07.07.2015 had consolidated the application under Sections 12, 18, 19, 20 and 22 of the DV Act and which was disposed off vide orders dated 15.05.2017 by the Court of learned Civil Judge (Sr.

Division), Gurugram. Again the wife has come up with this application on 01.07.2018, apparently is reflective of her endeavour to put pressure on the respondent husband, though her first application was disposed off by the trial Court and second was still in process for filing response by the respondent husband, and therefore, to the mind of this Court there was no urgency for her to again move second application under Section 31 of the DV Act. Rather by repeated invocation of the jurisdiction of this Court under this provision, the petitioner is trying to unduly delay the expeditious disposal of the matter pending before the trial Court which would serve her sinister design of putting the husband to more harassment under this guise. Moreover, unless and until the petitioner can convince this Court that the ends of justice so demand, she cannot invoke the provisions of Section 482 Cr.P.C. and the grievance, if any, by an order passed by the Court below can be adequately redressed through filing an appeal under Section 29 of the DV Act. Thus, finding no merit, the petition stands dismissed in limine.

Records be sent back immediately.

(FATEH DEEP SINGH)
JUDGE

August 21, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No