

123.

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

CRM-M-42344-2017

Date of decision:28.02.2019.

SATYENDER AND ORS

... Petitioners

versus

SEEMA YADAV

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Tapan Yadav, Advocate,
for the petitioners.

None for the respondent.

HARI PAL VERMA, J.(Oral)

Petitioner No.1 is the brother-in-law of the complainant whereas petitioners No.2 and 3 are the real uncles of the husband of complainant, have filed the present petition under Section 482 Cr.P.C. for quashing of complaint filed by the respondent-complainant under Section 12 of Protection of Women from Domestic Violence Act, 2005.

The marriage of the complainant was solemnized with Manoj Kumar on 13.02.2005. They lived as husband and wife at Village Pali, Tehsil and District Rewari. She made allegation of demand of dowry against the accused including the petitioners. The petitioners have challenged this complaint on the ground that the complainant who is the wife of Manoj Kumar has never shared the house with the petitioners, rather she had been staying with her husband, who is working in Indian Airforce. The very object of filing the complaint against the petitioners is to harass them

without there being any cause. In support of his contention, learned counsel for the petitioner has referred the judgment of this Court in ***Om Parkash Syngal and others Versus Shimla Garg-2016(3) R.C.R. (Civil) 225*** as well as the judgment of Hon'ble Supreme Court in ***Ashish Dixit and others Versus State of U.P. and another-2013(2) R.C.R. (Criminal) 340***.

No one is present on behalf of the respondent.

The case is being adjourned repeatedly. On the last date of hearing, it was made clear that no further adjournment will be granted in the case, but still no one appeared on behalf of the respondent.

Having heard learned counsel for the petitioners and considering the fact that the petitioners are neither husband nor in-laws and they have never shared the accommodation with the complainant, coupled with the fact that the complainant has been staying with her husband, who is working in Indian Airforce, present petition is hereby allowed and the complaint filed by the respondent-complainant is quashed qua the petitioners.

(HARI PAL VERMA)
JUDGE

28.02.2019

sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.