

125.

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

CRM-M-30618-2019

Date of decision: 19.07.2019.

GURPREET KAUR

... Petitioner

versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Charanpreet Singh, Advocate,
for the petitioner.

HARI PAL VERMA, J. (Oral)

Petitioner-complainant has filed the present petition under Section 482 Cr.P.C. impugning the order dated 04.05.2019 passed by learned Additional Sessions Judge, Ludhiana, whereby the revision petition filed by the petitioner against the order dated 19.02.2016 passed by learned Judicial Magistrate Ist Class, Ludhiana, was dismissed.

Vide order dated 19.02.2016, learned Magistrate has dismissed the application filed by the prosecution under Section 319 Cr.P.C. seeking summoning of respondents No.2 and 3, who are parents-in-laws of the complainant.

Counsel for the petitioner has argued that the marriage between the parties (i.e. petitioner and respondent No.4-Jaswinder Singh) was solemnized on 22.04.2012 and a sum of Rs.30 lakhs were spent in the marriage and other ceremonies, but as the respondents-accused were not

harassment. The police has wrongly found respondents No.2 and 3 innocent. Therefore, the petitioner, while appearing as PW1, has specifically named respondents No.2 and 3. There is a specific reference to the incident dated 04.03.2019 whereby the husband and parents-in-law demanded more dowry, car and cash and on showing her (complainant) inability, they have given her beatings with an intention to kill her. This fact was disclosed by the petitioner to her parents and thereafter, when the mother, brother and sister-in-law of the petitioner had come to her matrimonial home, the in-laws family misbehaved with them and rather refused to keep her (complainant) in the matrimonial home.

He has further argued that there is a total coherence in the complaint on the basis of which, the FIR was registered and in her statement while appearing as PW1. Therefore, the accused sought to be summoned were required to face the trial. He has relied upon the judgment of Hon'ble Supreme Court in ***Hardeep Singh Versus State of Punjab-AIR 2009 SC 483.***

I have heard counsel for the petitioner.

This Court finds that except there being general allegation, there is no such allegation in the complaint against respondents No.2 and 3. The husband is already facing trial. The judgment in ***Hardeep Singh's case (supra)*** is not relevant in the case, when there are no such specific allegations in the FIR. Though there are allegations that she has been given beatings, but no medical evidence is on record to substantiate the allegations.

Thus, in the absence of any specific allegation, entrustment of dowry and any evidence as regard to beatings, this Court finds that there is no illegality in the well reasoned order passed by the court below.

Dismissed.

(HARI PAL VERMA)
JUDGE

19.07.2019

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