

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

CRM M-45093 of 2019

Date of Decision: October 22, 2019

Manjit Kaur and others

.....Petitioners

Vs.

State of Haryana and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.

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Present:- Mr. G.S. Bawa, Advocate for the petitioners.

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MAHABIR SINGH SINDHU, J.

Prayer in this petition is for directing the official respondents to serve a notice under Section 160 Cr.P.C. before taking any action against the petitioners on the basis of the complaint made by respondent No.4.

Contentends that son of petitioner No.2, namely, Kuldeep Singh was married with respondent No.4 on 19.02.2018, and petitioners No.1 and 3 are being unnecessarily harassed as they have no concern with their matrimonial affairs. Also contends that petitioner No.2 is a Government employee and he is also being unnecessarily dragged to the litigation by respondent No.4 while making a complaint dated 24.12.2018 (P-1). Further contends that Senior Superintendent of Police, Ferozepur is not going ahead with the complaints of petitioners No.1 and 2 made on 09.10.2019 (P-2 and P-3), respectively.

Heard learned counsel for the petitioners and perused the case file.

Paper-book reveals that Kuldeep Singh son of petitioner No.2-Mukhtiar Singh solemnized marriage with respondent No.4 on 19.02.2018, but on account of matrimonial differences, a complaint was made by respondent No.4 to the Superintendent of Police, Sirsa on 24.12.2018 (P-1) against present petitioners as well as Kuldeep Singh.

It transpires that petitioners No.1 and 3 are aunt (*Tai*) and sister, respectively of said Kuldeep Singh. As per the allegations in the complaint of respondent No.4, petitioner Nos.1 and 3 are also residing in the matrimonial house along with petitioner No.2. It has specifically been alleged that petitioner No.1 is having full control over the family affairs of petitioner No.2 as well as his son and she used to taunt respondent No.4 while not fulfilling the demand of Car at the time of her marriage. She is continuously instigating Kuldeep Singh and his father-petitioner No.2 regarding the demand of Car and on that count only, the matrimonial differences have arisen between respondent No.4 and her husband. Further alleged in the complaint against petitioners that after three months of the marriage, respondent No.4 was turned out of her matrimonial house on asking of petitioner No.1 by Kuldeep Singh and his father-petitioner No.2. Even a panchayat was also convened to sort out the matter but remained unsuccessful. There are specific allegations against all the petitioners in the complaint dated 24.12.2018 (P-1) made by

respondent No.4, regarding the demand of dowry as well as cruelty and even petitioner No.2 is stated to be a Government employee, but despite that they are harassing her for bringing insufficient dowry. Respondent No.4 has also made the allegations in her complaint that first wife of petitioner No.2 had committed suicide; whereas second wife left the house and now petitioners No.1 and 3 are residing with him. Therefore, the contention of petitioners No.1 and 3 that they have no concern with the matrimonial affairs of respondent No.4 and Kuldeep Singh, is not acceptable. Again there are allegations by respondent No.4 that 20 days prior to her complaint, on instigation of petitioner No.1, she was thrown out from her matrimonial house by petitioner No.2 as well as her husband and was given a threat that in case she returns back, they would kill her.

This Court has gone through the contents of the complaints made by petitioners No.1 and 2 as well, wherein the factum of marriage between Kuldeep Singh and respondent No.4 apart from their differences have been duly acknowledged.

Since there are allegations of cruelty and demand of dowry against the petitioners by respondent No.4 and petitioner No.1 has instigated the other accused i.e. petitioner No.2 as well as his son Kuldeep Singh, resulted into throwing out respondent No.4 from her matrimonial house, therefore, no ground is made out to issue any direction in the matter to the respondents or to the Senior Superintendent of Police, Ferozepur.

In view of the facts and circumstances discussed hereinabove, it is apparently clear that complaints (P-2 and P-3) made by the petitioners against respondent No.4 are just to put a pressure so that she may not pursue her complaint dated 24.12.2018 (P-1).

In view of the above, there is no merit in the present petition and the same is accordingly dismissed.

The observations made above, may not be construed as an expression of opinion on merits of the complaints made by both sides.

October 22, 2019
sanjay

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.