

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

**CRM-M-3019-2020
Decided on : 23.01.2020**

Gurpreet Kaur and another

... Petitioner(s)

Versus

Gurmilap Singh

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Diwan Singh Adlakha, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., for quashing of the order dated 10.06.2019 (Annexure P-5), vide which the application filed by the petitioners for permission to amend para No.6 of the petition filed under Section 125 Cr.P.C., in case bearing No. MNT/54/10.07.2017, titled as 'Gurpreet Kaur and another Vs. Gurmilap Singh', was dismissed by the learned JMIC, Dhuri.

It has been contended that petitioner No.1 failed to disclose the actual period during which she resided with her husband at her matrimonial home and thereafter at her parental home. It was further contended that the Court below erred in not allowing the amendment in para No.6 of the petition to rectify the *bona fide* and inadvertent mistake of petitioner No.1.

I have heard learned counsel for the petitioners and have perused the impugned order.

It transpires from the impugned order that an application for permission to amend para No.6 of the petition under Section 125 Cr.P.C. was moved after a period of nine months of the filing of the petition under Section 125 Cr.P.C., which was filed on 10.07.2017. Further, the

amendment, which is sought to be made is not *qua* any inadvertent clerical or typographical error, rather, certain facts are being sought to be added in the said paragraph, which were in the knowledge of the petitioner at the time of the filing of the petition under Section 125 Cr.P.C. Not only this, subsequent to the filing of the petition under Section 125 Cr.P.C., written submissions had been filed by the respondents and thereafter, a rejoinder too was filed by the petitioner to the reply filed by the respondents herein. Needless to say, at such a belated stage, the amendment as prayed for cannot be allowed, as it would change the entire complexion of the petition under Section 125 Cr.P.C.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

January 23, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*