

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3536-2018 (O&M)
Date of Decision: January 27, 2020

Kamaljeet Kaur

..... Petitioner

VERSUS

State of Punjab and others

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Ms. Anu Bala Garg, Advocate
for the petitioner.

Mr. Davinder Bir Singh, D.A.G., Punjab

JAISHREE THAKUR, J.(Oral)

This is a petition that has been filed praying for issuance of appropriate and adequate directions to the official respondents No. 1 to 3 to register an FIR under Sections 498-A, 406, 323, 341, 120-B IPC read with Section 34 IPC against the in-laws family of the petitioner and further to transfer the investigation of the present case to an independent agency.

Pursuant to the notice of motion having been issued, a reply by way of affidavit of Gurpreet Singh, ACP (West) Ludhiana has been filed on behalf of the official respondents, wherein it has categorically been stated that the matter has been investigated by ASI Baldev Raj, who recorded statements of both the parties, Sarpanch Jaswinder Singh and other members of the Panchayat and concluded that petitioner Kamaljeet Kaur was not ready to live with her mother-in-law and father-in-law, whereas her husband being the only son of his parents was not in a position to leave them alone. The ASI also

noted that the father of the husband of the petitioner herein is handicapped and the mother-in-law is an aged lady, due to which the husband of the petitioner does not want to leave them alone. At the same time, on account of a scuffle that took place between the parties and on the basis of a MLR, offence under Section 323 IPC only was made out. As per the status report, it has been opined that there is no basis for the FIR to be registered.

Faced with this situation, learned counsel for the petitioner seeks to file a complaint, should the need so arise.

I have heard learned counsel for the parties and have also perused the status report and find that there is no ground to entertain the petition and deem it appropriate to dismiss the same, leaving it open to the petitioner to avail the remedy as per law, should the need so arise.

January 27, 2020

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes.
Whether reportable	No.