

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

**CRR-322-2016 (O&M)  
Decided on : 28.01.2020**

Gurinder Kaur

. . . Petitioner(s)

Versus

Jaswant Singh and others

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

**PRESENT:** Mr. Sarbjit S. Khaira, Advocate  
for the petitioner(s).

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**MANJARI NEHRU KAUL, J. (Oral)**

The instant revision petition has been preferred against the judgment dated 17.04.2013 passed by the learned Chief Judicial Magistrate, Gurdaspur as well as the judgment dated 13.05.2015, passed by the learned Additional Sessions Judge, Gurdaspur, whereby, the respondents were acquitted for the offences under Sections 498-A, 406, 506, 323, 109 IPC.

The case of the prosecution in brief was that the marriage of the petitioner (complainant) – Gurinder Kaur, was solemnized with respondent-Major Singh on 15.04.2001 and a child was born out of the said wedlock. Even though sufficient dowry was given at the time of the marriage to the accused-respondent, however, he and his family remained dissatisfied and unhappy on account of the same. The complainant-petitioner would be subjected to mental harassment and there would be demands made by the respondents-accused for a Hero Honda motorcycle, besides other electronic items. The parents of the complainant were left with no other option but to give a Hero Honda motorcycle and color TV to the accused. However, the respondent-accused continued ill-treating the petitioner and subsequently came up with a demand of a Maruti car. So much so, when the complainant was pregnant, she was not spared and was ill-treated. She delivered their child at

her parental home, but the respondent-accused never bothered to find out about the welfare of the petitioner or the son and persisted with their demands of a Maruti car. On 15.09.2002, the petitioner was allegedly physically assaulted by respondent-accused for not bringing a Maruti car etc. at the time of the birth of their son and was turned out from the matrimonial home. The behavior of the respondent-accused went from bad to worse, resultantly, the petitioner was left with no other option but to get the FIR in question registered against the respondent-accused. During the trial, the prosecution examined as many as 09 witnesses including the complainant, who stepped into the witness-box as PW-1 and her father, who stepped into the witness-box as PW-2. All the incriminating circumstances, appearing in the prosecution evidence were put to the respondent-accused under Section 313 Cr.P.C., to which they pleaded their innocence and false implication.

On an analysis of the evidence led and the other material on record, the learned Court below found no substance in the evidence led and acquitted the respondent-accused of all the charges framed against them.

I have heard learned counsel for the petitioner and have gone through the impugned judgments as well as other evidence on record.

I have no hesitation in holding that the petitioner has failed to lead any cogent and convincing evidence in support of her allegations against the respondent-accused *qua* being subjected to maltreatment or with regard to misappropriation of her dowry articles. It transpires from the perusal of the evidence that she has made material improvements during her deposition which creates a big dent in her case. It is her admitted case that the receipts Ex.P1 to Ex.P36, on which she placed reliance in support of her allegations *qua* the dowry articles given at the time of her marriage and subsequently on the demand of the respondent-accused were got prepared from the shopkeepers just before the registration of the FIR in question. Not only this, it is her own

admitted case in her cross-examination, wherein, she stated that whatever dowry articles had been given to her by her parents including the motorcycle and other electronic items, had been given as per the wishes of her parents. This admission runs contrary to the allegations leveled against the respondent-accused that they demanded dowry from her. The length and breath of the testimony of both the petitioner (complainant) as PW-1 and her father-Ruldu Singh as PW-2 reveals a lot of gaping holes which cast a shadow of doubt on the authenticity of the allegations leveled against the respondent-accused.

In the light of above, this Court does find any impropriety or illegality, which would warrant interference of this Court in its revisional jurisdiction. Consequently, the present revision petition stands dismissed.

There is a delay of 41 days in filing the revision petition. Since the main petition has been dismissed, therefore, no separate orders are required to be passed in the application for condonation of delay in filing the revision petition and the same stands disposed off as such.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**January 28, 2020**

*J.Ram*

*Whether speaking/reasoned:*      *Yes/No*

*Whether Reportable:*              *Yes/No*