

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

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Crl. Misc.No.M-26444 of 2020

Date of Decision:- 28.09.2020

Pankaj Chopra

....Petitioner

vs.

State of Union Territory, Chandigarh and another

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. S.S. Swaich, Advocate,

for the petitioner.

Mr. Gautam Dutt, APP U.T. Chandigarh,

for respondent No.1.

Mr. Sharan Sethi, Advocate, for respondent No.2.

Sudhir Mittal, J. (Oral)

At the very outset, learned counsel for the petitioner submits that gold articles have already been handed over and there is no *Istridhan* with the petitioner.

It is further argued that in the various complaints made by the second respondent, there is no allegation of forcible retention of *Istridhan*. The dispute between the parties is primarily because allegedly the second respondent is being forced to work in the hospital of the petitioner and this is evident from complaint dated 25.06.2019 annexed as Annexure R-2 with the reply of the U.T. Chandigarh. The parties got married on account of a love affair and in case they are referred to mediation, the matter could be settled. This Court vide order dated 13.02.2020 passed in T.A. No.181 of 2020 (Annexure P-3) has already directed the parties to appear before the Mediation and Conciliation Centre of this Court. However, the said order could not be complied with on account of the prevailing COVID-19

Pandemic.

Reply on behalf of U.T. Chandigarh is on record. According to this reply, the police enquired into the complaint made by the second respondent for a period of almost one year before registration of the FIR. Even during this period, the petitioner harassed the complainant resulting in submission of further complaints. Parties were given the opportunity to settle their dispute through mediation but no settlement took place. Thus, learned counsel for U.T. Chandigarh argues that the offer of settlement through mediation is merely an excuse to escape arrest.

Learned counsel for the complainant supports the submissions made by counsel for the U.T. Chandigarh.

There is no denial of the fact that FIR was registered more than one year after second respondent made a complaint dated 20.3.2019. The reply of Chandigarh Administration is on record to say that during the period of the enquiry, the parties were given opportunities to settle their dispute but despite the same, the petitioner continued with his illegal actions and harassed the complainant. Thus, two further complaints were made by the second respondent. This shows that the petitioner has scant respect for the law and thinks that he can get around it by making hollow promises.

For the aforementioned reasons, there is no merit in this petition and the same is accordingly dismissed.

Nothing stated hereinabove shall be construed as an opinion on the merits of the case.

September 28, 2020**poonam****Whether Speaking/Reasoned****(SUDHIR MITTAL)****JUDGE****Yes****Whether Reportable****No**