

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

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**CRM-M-52076-2021  
Decided on : 15.12.2021**

Anil Narula

. . . Petitioner(s)

Versus

State of Punjab and another

. . . Respondent(s)

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

**(Through Video Conferencing)**

PRESENT: Mr. Abhimanyu Kalsy, Advocate  
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

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

The instant petition has been filed under Section 482 Cr.P.C., for quashing of FIR No. 0010, dated 15.01.2021, under Section 498-A of IPC, registered at Police Station District Police Commissionerate, Jalandhar (Annexure P-1) as well as challan dated 22.02.2021 (Annexure P-17), along with consequential proceedings arising therefrom.

As per the allegations levelled in the FIR in question, the petitioner who is the husband of respondent No.2 (complainant-wife) while working as a Patwari in the Punjab Revenue Department was caught by the Vigilance Department, as a result of which, an FIR was registered against him. Since the petitioner was under heavy debt on account of the case registered against him, he asked respondent No.2 to help him out financially after seeking assistance from her parents or to start some business in her name, so as to earn extra income. It was in the aforementioned background, the petitioner took the signatures of his

wife (respondent No.2) on blank cheques for the purpose of starting business and she in good faith gave the same to her husband. On 16.08.2020, the petitioner on the pretext of making his wife i.e. respondent No.2 meet her ailing father, took her to her parental home. While dropping her at the gate, he told her that she could return to her matrimonial home only if her parents would arrange for Rs. 50.00 lakh to clear his debts and in case his demand was not met, she and her family would be involved in false cases. Thereafter, respondent No.2 (complainant-wife) made continuous attempts to return to her matrimonial home, but in vain. As per further allegations levelled in the FIR, the petitioner fraudulently opened various accounts in the name of respondent No.2 (complainant-wife) in Banks and obtained loans making her a guarantor. Besides this, the petitioner also applied for and got GST number in the name of respondent No.2.

Learned counsel for the petitioner *inter alia* submits that the petitioner had been happily married with respondent No.2 for almost 16 years and at no point in time, prior to the registration of the FIR in question, any complaint had been made against him with respect to the alleged harassment and demand of various amounts of cash. Learned counsel further submits that in fact respondent No.2 (complainant-wife) in connivance with her mother and brother had been collecting money from various persons on the pretext of investing them in 'committee business'. When the petitioner learnt about the illegal activities of his wife (respondent No.2), he confronted her. She, however, after hatching a conspiracy with her family left her matrimonial home on 15.08.2020, but not before taking along all the money. While leaving, she left behind

her two children with the petitioner. Learned counsel further submits that there was enough documentary evidence in the form of blank signed cheques, which had been given by respondent No.2 to various people, who had been lured by her to invest in her 'committee business' and which were dishonored subsequently on presentation before the Bank. Learned counsel further submits that respondent No.2 had also taken a loan of Rs. 5.00 lakh from a finance company by mortgaging all the household articles as well as gold ornaments. Learned counsel still further submits that since respondent No.2 (complainant-wife) had indulged in illegal activities and subjected him to a lot of mental harassment on account thereof, he had been left with no other option but to file a petition under Section 13(ia) of the Hindu Marriage Act, 1955, for grant of divorce, which was pending adjudication. A prayer was, therefore, made by the learned counsel for the petitioner for quashing of the FIR in question, as it was nothing but a classic case of false implication, wherein, the complainant-wife in order to save herself and to exert pressure on the petitioner had come up with totally false and concocted allegations.

I have heard learned counsel for the petitioner and perused the material on record including the challan (Annexure P-17), which stands presented before the trial Court.

Since the inherent powers vested in this Court are extensive and wide, a great deal of circumspection needs to be exercised while considering a prayer for quashing of an FIR.

A perusal of the allegations levelled in the FIR in question do *prima facie* disclose the commission of cognizable offences. This

Court, at this stage, cannot embark upon an enquiry *qua* the reliability or genuineness of the allegations levelled by the complainant against the petitioner. The correctness or otherwise of the allegations levelled would be dealt with, by the learned trial Court, when the evidence is adduced by both the parties.

Hence, this Court is not inclined to invoke its inherent jurisdiction under Section 482 Cr.P.C. to quash the FIR in question.

Petition stands dismissed.

(MANJARI NEHRU KAUL)  
JUDGE

**December 15, 2021**

*J.Ram*

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

*Whether Reportable:*              *Yes/No*