

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.252

CRM-M-4810-2018(O&M)
Date of decision: 13.07.2022

SANGEETA AND ANR

....Petitioners

Versus

STATE OF HARYANA AND ORS

....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: None for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Adarsh Jain, Advocate
for respondents No.6 and 7.

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VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure with a prayer for issuance of directions to the respondents No.2 to 4 to protect the life and liberty of the petitioners against the interference by the private respondents and also to direct respondents to take a decision on the representation furnished by the petitioners.

Pursuant to the notice of motion, reply by way of affidavit of Aman Yadav, HPS, Assistant Commissioner of Police, City Ballabgarh, Faridabad has been filed on behalf of respondent No.1 to 4. The relevant extract thereof, reads as under:-

1. *“That a complaint dated 06.10.2017 was moved to the Commissioner of Police, Faridabad, by petitioner No.1 Smt. Sangeeta, regarding assault, illegal confinement, snatching of*

money, vehicle and kidnapping. The said application was marked to SHO PS Ballabgarh for taking further action.

2. *That on receipt of Complaint the ASI, Samay Singh of PP Aggrasain Chowk, Ballabgarh along with other police official reached at reached at the Spot for verification of facts after recording DD No. 10 on 28.09.2017. After verification facts were not found true mentioned therein and on returning from the spot another DD No. 13 of the even date was recorded. Copies of the DD are annexed herewith as Annexure R-1 Colly and R-2 Colly respectively.*

3. *That Complainants/Petitioners have concealed the correct facts from this Hon'ble High Court. The facts are that Petitioner No.2 Joginder Singh is already a married person havlng 3 daughters and the first wife is still living. However, the Petitioner No. 1 Sangeeta came in contact with the Petitioner No.2 nave solemnized marriage with petitioner No.2. An FIR NO. 1329 dated 02.11.2017 U/S 323, 494,506 IPC has also been got registered by Respondent No. 7 the first wife Smt. Geeta W/o Jogender with the PS City, Ballabgarh. Challan has been presented under Section 173 (2) Cr.P.C. dated 19.2.2018. A charge sheet against the accused/Petitioner No. 2 Joginder and now the case is pending for prosecution evidence on 9.8.2018. A Copy of FIR is annexed herewith as Annexure R-3. The Petitioner No, 2 was having a share in the Agricultural land and his family after partition had sold the same and the amount of the share of petitioner No. 2 was invested for the purchase of Agricultural land through the Respondent No.5 Krishan Pal who is the real brother-in-Law (Jija, husband of his sister) of the petitioner No. 2. A dispute arose in between the complainant and the alleged Respondent No. 5 which was settled through a Panchayat and an amount of Rs.20 Lacs in*

each was paid to the Petitioner No. 2 by the accused No. 5. The family members of the Petitioner No. 2 insisted him to deposit the said amount in the name of his daughter and thus an amount of Rs.15Lacs (Rs.5 Lacs each) was deposited by him through an FD in the name of daughters of Jogender Singh. Since the petitioner/ Complainant No. 1 had an evil eye on the said money, therefore, she made a false complaint which was found false during the enquiry of the same.

Even though the said reply was filed on 03.05.2018, however, no counter-affidavit to the same has been filed by the petitioners, controverting the averments contained therein.

Reply has also been filed to the written statement filed by respondents No.6 and 7.

There has been no representation on behalf of the petitioners on the date fixed i.e. 22.07.2019 as well as on 23.03.2022. Even today, there is no representation on behalf of the petitioners. It seems that the petitioners are not interested in pursuing the instant petition.

Dismissed for non-prosecution.

13.07.2022
Amandeep

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No