

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

**CRM-M-51402 of 2019
Date of Decision: 16.05.2022**

Pawan Kumar ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Anil Kumar Bhardwaj, Advocate
for the petitioner.

Mr. N.S. Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J.(ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure for issuance of a direction to respondent No.2 to investigate into the allegations leveled by the petitioner and his sister against respondents No.3 to 5.

2. Learned counsel for the petitioner has submitted that it is a case where directions were sought for taking action against the respondents No.3 to 5 and since the matter is of the year 2019, he was not able to seek instructions from the petitioner.

3. However, on the other hand, learned State counsel has submitted that status report was filed in the year 2020 itself and as per the status report, it has been stated specifically in paragraph No.4 that on the complaint of the sister of the petitioner, action under Sections 107 and 151 of Cr.P.C. has been initiated against the brother of Shilpa namely Shubham and so far as the rest of the allegations are concerned, which have been made by the petitioner, the

as the petitioner has moved the complaint with intention to pressurize his wife Shilpa. Further, as per paragraph No.5, it has been stated that after completing the inquiry, ASI Surinder Kumar submitted his report to Station House Officer, P.S. Farakpur. After that SHO, Farakpur submitted his report to the higher police officers with recommendation that no action is required on the complaint of petitioner and no cognizable offence is made out. Paragraph Nos.4 and 5 of the affidavit filed by the State is reproduced as under :-

“4. That after receipt of aforesaid complaint, the same was marked to SHO, P.S. Farakpur. After that the same was marked to ASI Surinder Kumar. During inquiry, statements of the parties have been recorded. During inquiry it has been found that Shilpa wife of the petitioner has already given a complaint against petitioner and his family members for demand of dowry, giving beatings, abuses, at Police station Women Yamuna Nagar. The wife of the petitioner Shilpa had told to take divorce and she does not want to take any action. Due to this reason, relations of the petitioner and his wife became strained and they started giving complaints against each other. It has been found that petitioner and Shilpa had solemnized love marriage and out of their wedlock a daughter was born. During inquiry, CC TV footage has been persuaded and from perusal of CC TV footage no quarrel or theft was found taken place. However, on the complaint of Nandini sister of Petitioner Ex-P7, action under section 107, 151 Cr.P.C. has been initiated against brother of Shilpa namely Shubham. As such rest of allegations have been found false, so the complaint of the petitioner has been filed as the petitioner has moved the complaint with intention to pressurize his wife Shilpa.

5. That after completing the inquiry ASI Surinder Kumar submitted his report to SHO, P.S. Farakpur. After that SHO, P.S. Farakpur submitted his report to the

higher police officers with recommendation that no action is required on the complaint of petitioner and no cognizable offence is found made out.”

4. I have heard the learned counsel for the parties.

5. In view of the specific affidavit filed by the State that on the allegations made by the petitioner, nothing was found against the respondents No.3 to 5 and so far as the allegations made by the sister of the complainant is concerned, action under Section 107 and 151 of Cr.P.C. has already been initiated against the brother of Shilpa.

6. In view of the above, nothing survives in the present petition. Consequently, the present petition is dismissed.

**(JASGURPREET SINGH PURI)
JUDGE**

May 16, 2022
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No