

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

109

CRM-M-1644-2023

Date of Decision: 16.01.2023

Jyoti

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Narinder Kumar, Advocate for the petitioner

Mr. Amish Sharma, AAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 482 Cr.P.C. read with Section 340 Cr.P.C is seeking initiation of criminal proceedings against respondent Nos.2 and 3 alleging making of willful and intentional false statement in petition bearing number CRWP-11523-2022 filed before this Court.

Learned counsel for the petitioner, *inter alia*, states that in paragraph 13 of CRWP-11523-2022, the private respondents herein had stated that they were unmarried at the time of filing of petition, whereas petitioner No.2 therein was already married and having son at that point of time, thus, he has mis-stated the material facts warranting action under Section 340 Cr.P.C.

I have perused the contents of CRWP-11523-2022.

In paragraph 13 of the petition, it is mentioned that petitioners are unmarried which is incorrect as per petitioner, however, paragraph 6 of the petition cannot be ignored which reads as :-

*“6. That the petitioners are of different religion thus the parents of the petitioner no.1 are against their relationship which is not illegal nowadays. That the petitioners want to marry each other but due to religion differences they are not able to solemnize marriage at this point of their life. That we request the Hon’ble Court to grant the livin (sic) protection till **they go through the religion conversion process and legally marry each other.**”*

In view of the averments made in paragraph 6, no ground is made out to initiate proceedings under Section 340 Cr.P.C.

The petitioner is free to bring her claim before police authorities, if any representation is made by respondents or they are granted any protection.

Dismissed.

(JAGMOHAN BANSAL)
JUDGE

16.01.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>