

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

124

CRM-M-51489-2022

Date of Decision : 26.05.2023

Balwinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.Sunil Agnihotri, Advocate
for the petitioner.

Ms.Guramrit Kaur, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Section 482 Cr.P.C. is seeking quashing of FIR No.0237 dated 18.09.2020 registered at Police Station Tanda, District Hoshiarpur, under Sections 452, 323, 148, 149, 506, 498-A, 427 of IPC (Section 406 IPC added later on).

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is distant relative of the complainant. The marriage of complainant was solemnized with Karamjit Singh on 09.10.2019. Karamjit Singh within two months of marriage left for Spain because he is employed in Spain. Most of the family members of Karmajit Singh are settled out of country. Mother of Karmajit Singh is staying in India. Karamjit Singh and his family members after sometime from the date of marriage came to know that it was 2nd marriage of the complainant. She had got divorced from her previous husband in 2017 and without disclosing this fact, she solemnized marriage with Karamjit Singh. From the decree of divorce, it is evident that

complainant had made same set of allegations against her previous husband and in -laws. The complainant has filed petition under Section 12 of Protection of Women from Domestic Violence Act, 2005. The Magistrate has appointed CPO to submit report who in its report has confirmed that mother-in-law of the complainant is sick, old and widow lady and it is complainant who is harassing her. She herself had demolished her saloon. She is trying to take possession of house of her mother-in-law and for the said purpose, she twice has attacked her mother-in-law. On both the occasions, medical was conducted which is evident from MLR. The mother-in-law of the complainant has filed civil suit seeking permanent injunction which stands granted by Civil Court. The complainant has lodged an FIR after passing of interim order granting injunction by Civil Court.

3. Learned State counsel, who is present in Court on advance notice, submits that *challan* has already been presented and petitioners have not challenged police report filed under Section 173 Cr.P.C.

4. On being confronted with this fact, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file afresh with better particulars.

Dismissed as withdrawn with liberty aforesaid.

(JAGMOHAN BANSAL)
JUDGE

26.05.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>