

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

111

CRM-M-13918-2024(O&M)

Date of order: 19.03.2024

Anjali Singh

.....Petitioner(s)

Vs.

State of Haryana & Others

.....Respondent(s)

CORAM: HON’BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Ritesh Tomar, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

Nidhi Gupta, J.

Prayer in the present petition under Section 482 Cr.P.C. is for issuance of direction to the Id. trial Court for deciding present complaint i.e. COMA No.440 of 2022 (Annexure P1) and maintenance petition i.e. MNT/125/319/2022 (Annexure P3) in a time bound manner and further, to take appropriate action against the respondents for unnecessarily delaying the process of law and taking legal action against respondents No.2 to 6 as per law.

2. Learned counsel for the petitioner inter alia submits that the brief facts of the case are as under:-

06.03.2018 - The marriage between petitioner and respondent No.2 was solemnized on 06.03.2018.

6.11.2019 - Due to the cruelty caused by the respondents, the petitioner filed an FIR No.297 dated 06.11.2019 under Sections 323, 376, 506 of IPC, P.S. Baldev against the respondents No.2 to 6.

11.07.2022 - Due to the said conduct of the respondents, petitioner also filed a complaint bearing COMA No.440 of 2022 (Annexure P1) under Section 12(1) of the Protection of Women from Domestic Violence Act, 2005 on 11.07.2022.

11.7.2022 - As the petitioner had no means to maintain herself, she also filed a petition under Section 125 Cr.P.C. bearing MNT/125/319/2022 (Annexure P3) which was registered on 11.07.2022.

3. Ld. Counsel submits that the main grouse of the petitioner is that the petitioner had filed both the petitions in the year 2022. However, thereafter the proceedings are going at a lackadaisical pace, and there has been no progress in the trial. It is submitted that till date, no reply has been filed by the respondents in the proceedings under the Domestic Violence Act. The respondents have been ex-parte on various occasion and are delaying the proceedings intentionally by moving frivolous applications. Similarly, in the proceedings under Section 125 Cr.P.C. till date no interim has been granted by the Ld. Family Court and there also, adjournments are being sought at the request of the respondent's counsel continuously. The petitioner has relied upon the judgment of the Hon'ble Supreme Court in **Ranjesh Vs. Neha**, wherein it has been emphasised that proceedings for interim maintenance be decided in a time bound manner.

It is accordingly, prayed that a direction be issued to learned trial Court for deciding the above said matters in an expeditious manner.

4. No other argument is made on behalf of the petitioner.
5. I have heard learned counsel for the petitioner and perused the case file in detail.
6. Perusal of record of the case shows that the petitioner was married to respondent No.2 on 06.03.2018. No child was born out of this wedlock. The marriage subsisted for barely one year. Thereafter the petitioner filed the present FIR in 2019; and the proceedings under the DV Act as also the petition under section 125 CRPC on 11.7.2022. However, the perusal of zimni orders from 11.07.2022 till 31.01.2024 attached by the petitioner as Annexure P2 and Annexure P4 shows that no delay has been occasioned on account of any tardiness on part of the learned Family Court. In fact, the matter was referred to Mediation and Conciliation Centre of the learned Family Court vide order dated 10.07.2023 in an attempt to settle the dispute however, the same proved futile.
7. In view of the above, I find that no ground or situation is made out for issuance of any direction as prayed for. Present petition is accordingly **dismissed**.
8. Pending application(s) if any also stand(s) disposed of.

19.03.2024

Sunena

Whether speaking/reasoned

Whether reportable

(Nidhi Gupta)

Judge

Yes/No

Yes/No