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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14854-2024 (O&M)
Date of decision: 21.03.2024

Niraj Kumar

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Bhagwan Singh, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for issuance of directions to official respondents No.2 to 4 to submit the status report in complaints/respondents dated 02.01.2024 & 12.02.2024 (Annexures P-2 to P-4), after conducting proper and fair investigation by some higher police officials or by Crime Branch.
2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is a victim of misrepresentation, cheating, intimidation and threats regarding life at the hands of private respondents and their associates. The petitioner has solemnized marriage with respondent No.5 on 07.09.2022 at Arya Samaj Mandir Trust, situated at Tis Hazari, Delhi and marriage

certificate issued by the said Mandir Trust is attached with the present petition as Annexure P-1. It is further contended that on 27.01.2023, wife of the petitioner (respondent No.5) was taken away. Thereafter, family members of the private respondent No.5, in collusion with each other, got lodged two FIRs against the petitioner and also made 18 complaints against him within a span of 01 year and now marriage of respondent No.5 has been performed with respondent No.6 on 14.02.2024. The petitioner has also filed a petition under Section 9 of the Hindu Marriage Act, bearing DMC No.779 of 2023 before the Family Court, Rewari, which is now pending for 29.05.2024.

3. Grievance of the petitioner is that private respondent No.5, in collusion with her family members, has performed marriage with respondent No.6 without getting divorce from him and family members of wife of the petitioner (respondent No.5) are giving threats to him and in this regard, he has moved a representation/complaint on 02.01.2024 before respondent No.4, but no action has been taken till date, as such, the petitioner moved another representation on 12.02.2024 (Annexure P-3). Learned counsel further submits that marriage without divorce is a punishable offence under Section 494 IPC.

4. Having heard learned counsel for the petitioner and perusing the record of the case with his able assistance, this Court finds no ground to issue any direction to the official respondents to consider and decide the representation/complaint, as the matter is purely between the alleged

husband and wife. Moreover, Section 494 IPC is not a cognizable offence.

5. Accordingly, the present petition being devoid of merits is dismissed.

21.03.2024
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No