

2024:PHHC:055721

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

114

CRM-M-14755-2024

Date of decision: 24.04.2024

Sukhwinder Kaur

....Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Abdul Aziz, Advocate,
for the petitioner.

Mr.Adhiraj Singh Thind, AAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. The instant petition has been filed under Section 482 of Cr.P.C. with the following substantial prayer:-

“It is, therefore, respectfully prayed that this petition may kindly be allowed and directions may kindly be issued to respondent No.3 & 4 not to harass and threat the petitioner and her son wrongly and illegally at the instance of respondent No.5 who is giving false complaints against the petitioner and her son and is a very influential person and is very close to respondent No.5. It is further prayed that direction may kindly be issued to respondent No.2 to take strict legal action against respondent No.3 & 4 who is threatening the petitioner and her son to implicate them in false case, in case they fails to accede the illegal demands of respondent No.5; It is further prayed that the respondent No.4 be directed not to proceed with the application of the respondent No.5 as the inquiry has been conducted on the application of respondent No.5; and allegations of the respondent No.5 was found to be false.”

2. Notice of motion was issued, in pursuance of which reply dated 18.04.2024 has been filed by the State of Punjab. Paragraph 5 thereof reads as under:-

“5. That from the facts emerged during inquiry, the facts of taunting the applicant for bringing less dowry, demand of 8 lakh for vehicle and harassing her with this demand, misappropriating the Istridhan of applicant Tejinder Kaur have come forward. These facts also corroborated by the witnesses produced by applicant party viz. Harjinder Singh, Sukhwinder Singh, Karamjit Singh and Mehakpreet Singh. As such the act on the part of Kuldeep Singh (husband) fulfils the definition of offence under Section 498-A, 406 IPC. However, if anything comes to surface during the investigation against Sukhwinder Kaur (mother-in-law) necessary action would be taken at relevant point of time. So, after registering the FIR against Kuldeep Singh husband of applicant son of Manjit Singh r/o Khurd Tehsil and District Malerkotla for the offences u/s 498-A, 406 IPC, the investigation is required to be conducted thoroughly. However, keeping in view the seriousness of the matter and the fact of pendency of Court cases before the Hon'ble Courts, the legal opinion is necessary to be sought.”

3. Accordingly, FIR No.04 dated 06.04.2024 registered under Sections 406 and 498-A of IPC at Police Station Women Cell, District Sangrur has been registered against Kuldeep Singh-son of the petitioner, namely, Sukhwinder Kaur.

4. A perusal of the above would also show that as on today nothing incriminating has come against Sukhwinder Kaur (present petitioner).

5. Keeping in view the entirety of the facts and circumstances of the present case, no directions as asked for by the petitioner, are called for in the instant petition.

6. Petition stands dismissed.
7. Pending application(s), if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

April 24, 2024
poonam

Whether speaking/reasoned:Yes/No

Whether reportable:Yes/No