



CRM-M-14605-2019

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14605-2019

Reserved on: 18.10.2024

Date of Pronouncement:- 18.11.2024

HARINDER SINGH

.....PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

(As on the reserved date)

Present: Mr. S.S. Gill, Advocate,
for the petitioner.

Ms. Himani Arora, A.A.G., Punjab.

Mr. Aayush Gupta, Advocate,
for the husband of the complainant.

HARPREET KAUR JEEWAN, J.

1. Challenge in the present petition is to the order dated 08.08.2018 (Annexure P-3), passed in a case bearing No. FWC-230, passed by Family Welfare Committee-I, District Legal Services, District Courts, Ludhiana, giving recommendations that no case of cruelty for demand of dowry is made out and it is a case of mistrust and adamant attitude and that there is a total lack of compatibility between husband and wife.

2. The petitioner is aggrieved by the fact that his sister Kirandeep Kaur had filed a complaint, dated 16.03.2018 (Annexure P-1) giving specific allegations against her husband Pardeep Singh and his relatives that they were harassing her and were raising the demand of a car. She was



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being taunted for not bringing sufficient dowry.

2.1 It is further an allegation that the husband and his relatives have thrown out the sister of the petitioner from the house after giving her beatings and they have further refused to rehabilitate her when her parents went along with her on 11.02.2018. It is also an allegation that a relative of the husband of the victim is a Police employee and other relative is an Advocate, as such, no action was taken on the complaint dated 16.03.2018 (Annexure P-1).

2.2 Learned counsel for the petitioner further pointed out that a detailed inquiry was conducted by Deputy Superintendent of Police (Investigation), Khanna and as per his report, dated 17.03.2018 (Annexure P-2), a categorical observation was given that sister of the petitioner is ready to join the matrimonial house whereas her husband Pardeep Singh is not ready to rehabilitate her. It was also observed in the said inquiry report that Pardeep Singh (husband), Hardev Kaur (mother-in-law) and Kuldip Singh (father-in-law) are greedy, as such, they do not want to rehabilitate Kirandeep Kaur-sister of the petitioner.

3. Learned counsel for the State, as well as counsel for the husband of the complainant have opposed the present petition, on the ground that allegations levelled by the sister of the petitioner are totally fake.

4. I have heard learned counsel for the parties and have gone through the paper-book carefully.

5. The inquiry report (Annexure P-2) is a detailed report. The statements of the parties were recorded before making any such



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conclusions, whereas the report submitted by the Family Welfare Committee is sketchy and is based on conjectures and surmises. The complaint filed by the sister of the petitioner with regard to the matrimonial dispute has been shut by observing that Kirandeep Kaur (sister of the petitioner) started working at a place without intimating her husband and her in-laws to which the husband mistrusted in the marital relationship. In the present Era, women are working and such act and conduct on the part of a wife cannot be treated as a ground to disbelieve the entire complaint to disbelieve her version.

6. Keeping in view the facts and circumstances, the observations made by the Family Welfare Committee in the report dated 08.08.2018 (Annexure P-3) are not sustainable in the eyes of law. The said report is set aside. The respondents may proceed further on the basis of the complaint dated 16.03.2018 (Annexure P-1) submitted by the sister of the petitioner, as per law.

7. The present petition is accordingly allowed. However, keeping in view the long delay in the matter, the respondents are directed to take appropriate action within a period of 03 weeks after receiving the certified copy of this order.

8. Pending miscellaneous applications, if any, also stand disposed of.

November 18, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No