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

**CRM-M-11580-2025
Date of decision: 24.03.2025**

**SIMANT SHEKHAR ALIAS SIMANT ALIAS GOLU AND OTHERS
...Petitioner(s)**

VERSUS

**STATE OF HARYANA AND ANOTHER
...Respondent(s)**

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Lovish Arora, Advocate as Legal Aid Counsel
for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.81 dated 09.07.2023, under Sections 323, 34, 354-A, 354-C, 377, 406, 498-A and 506 of the IPC (Sections 354-A, 354-C and 377 of the IPC deleted later on), registered at Police Station Women Police Station, Faridabad, District Faridabad, report under Section 173 Cr.P.C. dated 22.07.2023 (Annexure P-2) and order dated 22.02.2024 (Annexure P-4) and all other consequential proceedings arising out of the said FIR.

2. The aforesaid impugned FIR which has been so attached by the petitioners as Annexure P-1 is reproduced as under:-

*“To the S.H.O, Women Police Station, Sector 16-A,
Faridabad. Subject: - Complaint for registration of case and
for taking action against accused No. 1 Simant alias Golu-*



husband, accused No.2. Bikram Ram-father-in-law, 3. Prem Lata-mother-in-law, 4. Munni-Maternal Aunt, 5. Pardeep-Maternal Uncle, residents of village Nagra Bhagamalpur Post Office Nagra, District Balia, U.P. in respect of demanding dowry from the complainant and giving abuses and developing unnatural relations forcibly by the husband and teasing by the father-in-law and for issuing threats to kill, Mobile No. 7007300413, 9984884121, Sir, it is respectfully submitted that myself complainant Nishu Rao wife of Simant alias Golu is the daughter of Shri Bijender Prasad, resident of House No. 1265, Rajiv Nagar, near Fish Market, Sector 33, Faridabad and requests as under:-1. That I was married with Accused No. 1 on 25.11.2020 according to Hindu rites and ceremonies in the presence of the relatives and other members of the community. In my marriage my parents gave valuable articles as dowry, golden and silver ornaments, furniture, electronic articles and cash was given for the purchase of Scooty and Motorcycle beyond their capacity and about Rs. 20 Lac were spent on my marriage. 2. That when after marriage I went to my in-laws house, then I saw that my in-laws were not happy with the dowry given in my marriage and everyone taunted me for giving less dowry and my mother-in-law said that your father did not give anything at your marriage, big proposals were coming for our son from other places who were giving a car and 5 lakh rupees in cash in the marriage and my husband said that if you want to live in this house then you will have to get a car for me in dowry from your father, my father-in-law said that you will have to bring 5 lakh rupees in cash as well, when I said that my parents have already spent more than their means in my marriage, my father has also gone into debt due to the marriage, now



my father cannot give you anything more, then my husband, mother-in-law, father-in-law abused me badly, my husband beaten me badly with kicks and punches and threatened that until you do not bring a car and 5 lakh rupees in dowry from your father, we will not let you live peacefully in this house. 3 That after that my husband started pressurizing me all the time to bring a car from my father's house and at night he used to have unnatural physical relations with me without my consent which caused me a lot of pain, when I refused he used to beat me badly. 4 That my mother-in-law used to curse me and my family members all the time, used to find faults in my work and used to make me do all the household work like a servant and used to say that until you do not fulfill our dowry demand I will not let you live peacefully in this house and my mother-in-law used to get me beaten up by insinuating in my husband's ears. 5. That my father-in-law had an evil eye on me from the very beginning, used to tease me with bad intentions, used to peep into my room and bathroom, used to touch the delicate parts of my body while coming and going, used to pressurize me to have physical relations, when I used to complain about my father-in-law to my mother-in-law and husband then both of them used to misbehave with me instead. 6. That my maternal aunt and maternal father-in-law also used to ill-treat me and instigate my mother-in-law, father-in-law and husband against me and used to say that divorce her and we will get the boy married again from where we will get a huge dowry. 7. That from the very beginning I have been tolerating the atrocities of my in-laws to save my household and for the respect of my parents. 8. That on 27.5.2021 my in-laws beaten me up and threw me out of the house. I was pregnant at that time. I somehow came to my parents' house and told the whole



thing to my family members. My family members talked to my in-laws but they flatly refused to keep me and threatened that if you send your daughter to this house without fulfilling our dowry demand, we will kill her. 9. That on 6.11.2021 I gave birth to my daughter Nishika Rao whose all expenses were borne by my parents, I informed my husband and in-laws about this but till date no one has come from my in-laws. 10. That even today all my belongings, dowry, gold and silver jewellery etc. are in the possession of my in-laws. 11. That now my husband's maternal uncle has called us and informed that we have got Semant alias Golu married for the second time and now you do not need to come here. Therefore, it is my humble request to you Sir that strict legal action should be taken by registering a case against the said culprits and all my belongings, stridhan, gold and silver jewellery, cash should be returned from the culprits. I will be highly grateful. Date: 10/11/2022. Applicant SD/ NISHU RAO 10.11.2022.”

3. A perusal of the aforesaid FIR would show that direct allegations have been made by respondent No.2 pertaining to giving of less dowry and also with regard to allegations of cruelty which includes beating etc. Petitioner No.1 is the husband of respondent No.2, petitioner No.2 is the father-in-law of respondent No.2 and petitioner No.3 is mother-in-law of respondent No.2 and direct allegations have been levelled against all of them in the aforesaid FIR.

4. Learned counsel for the petitioners submitted that the matter is at the prosecution evidence stage after framing of the charges and there are chances that the matter can be amicably settled between the parties through mediation process and therefore, if the present case is sent to the Mediation and Conciliation Centre of this Court for mediation, the matter can be settled.



5. After hearing the learned counsel for the petitioners, this Court is of the considered view that the provision of Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 cannot be straightaway invoked only by arguing that since the matter can be amicably settled in the Mediation and Conciliation Centre of this Court, the present petition is preferred by invoking inherent extraordinary power of this Court. Such mediation can be effected before the learned trial Court as well. The argument which has been raised by the learned counsel for the petitioners itself cannot become a ground for invocation of the inherent extraordinary power of this Court. Apart from the above, the learned counsel for the petitioners has not been able to raise any ground so as to satisfy the test laid down by Hon’ble Supreme Court in *State of Haryana and others versus Ch. Bhajan Lal and others, 1992 SCC (Criminal) 426* and therefore, no ground is made out for quashing the aforesaid FIR, at this stage.

6. Consequently, finding no merit in the present petition, the same is hereby dismissed.

(JASGURPREET SINGH PURI)
JUDGE

24.03.2025
Chetan Thakur

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No