

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

2025:PHHC:060454



123

CRM-M-23088-2022 (O&M)

Date of Decision: 07.05.2025.

Parminder Kaur and others

...Petitioners.

Versus

State of Punjab and another

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. K.S. Dadwal, Advocate for the petitioners.

Ms. Gagandeep Kaur, DAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

CM No.18298-2025

Present application has been filed for impleading Senior Superintendent of Police, Kapurthala as respondent No.3 as the representation i.e. Annexure P-4 has been addressed to him.

It has been alleged that for just and proper adjudication of the present case, Senior Superintendent of Police, Kapurthala, is required to be arrayed as respondent No.3.

Keeping in view the averments made in the application, the same is allowed and Senior Superintendent of Police, Kapurthala, is impleaded as respondent No.3 as necessary party.

Amended memo of parties annexed alongwith the application, is taken on record, subject to just exceptions.

Main case

Prayer in the instant petition filed under Section 528 of BNSS, 2023 for quashing of FIR No.68 dated 29.03.2025, under Sections 115(2), 127(2), 305, 333, 329(4), 61(1) of BNS, 2023, registered at Police Station City Phagwara, District Kapurthala and all subsequent proceedings arising out therefrom, which is abuse of process of law, as the same has been registered in counter blast to FIR No.9 dated 28.03.2025, under Sections 85, 316(2), 61(2) of BNS, registered at Police Station NRI, District Hoshiarpur against respondent No.2 and his son, which re-espouse the case of the petitioners.

Learned counsel for the petitioner has contended that shortly after the marriage of petitioner No.1 began facing pressure and coercion from her husband and in-laws including respondent No.2, for additional dowry. Within five months of marriage, her husband returned to Italy, leaving behind petitioner No.1 in India to live with his parents. She was subjected to humiliation and mental harassment on account of dowry, despite the fact that her parents incurred expenses of over Rs.25,00,000/- at the time of her marriage and gifted gold ornaments to several family members of respondent No.2. She was also subjected to physical beatings on numerous occasions. She had two daughters born out of their wedlock, respondent No.2 in connivance with his son Balveer Singh, exercised complete financial and personal control over petitioner No.1, reducing her to a dependant state both in Italy and India. She was not allowed to work and denied basic financial support. Husband of petitioner No.1 supported by respondent No.2, left petitioner No.1's minor children in an orphanage in Italy without her consent and ensured that the petitioner was denied access

to her children. When after returning to India, petitioner No.1 attempted to enter her matrimonial home, she was forcibly stopped by respondent No.2 and Krishna, then only with her fathers help, she entered the house and discovered that her belongings had been destroyed and her dowry articles were missing from her room. Respondent No.2 not only refused to let her live in matrimonial home but also continued to harass her physically and mentally. When there was inaction on the part of the local police despite multiple representations, then she submitted a detailed complaint to Superintendent of Police, Phagwara, narrating the atrocities committed against her by her husband and in-laws. Then an enquiry was initiated by the police authorities and thereafter, FIR No.9 dated 28.03.2025, under Sections 85, 316(2), 61(2) of BNS, registered at Police Station NRI, District Hoshiarpur, against respondent No.2 and his son Balveer Singh (husband of petitioner No.1). As the counter blast to the aforesaid FIR respondent No.2 lodged a complaint with the allegations that on 04.02.2025, petitioner No.1 accompanied by her mother (petitioner No.2) and 4-5 unidentified women, forcibly entered his residence and assaulted him and his daughter Krishna and wrongfully confined them inside a room of their house. He also levelled allegations against the petitioner of attempting to illegally occupy his property. Based on these allegations, FIR No.68 dated 29.03.2025, under Sections 115(2), 127(2), 305, 333, 329(4), 61(1) of BNS, 2023, registered at Police Station City Phagwara, District Kapurthala was registered against the petitioner, which is abuse of the process of law, intended to pressurize, harass and coerce the petitioners. He has contended that the matter primarily revolves around the estranged relationship between Balbir Singh and Parvinder Kaur, which involved a divorce proceeding in Italy and issues

regarding inheritance of property, such disputes are civil in nature and do not warrant the invocation of criminal proceedings. He has further submitted that Satish Kumar son of Chaman Lal (wife's brother of petitioner No.3), submitted a formal application seeking a fair and impartial investigation into the circumstances surrounding the registration of FIR No.68 dated 29.03.2025 (Annexure P3).

During the course of arguments, learned counsel for the petitioner has submitted that he would be satisfied if the representation dated 09.04.2025 (Annexure P-4), which had already been moved before respondent No.3 (in the amended Memo of parties) is looked into.

Notice of motion.

Ms. Gagandeep Kaur, DAG, Punjab, accepts notice and submitted that she has no objection if the aforesaid representation dated 09.04.2025 (Annexure P-4) is looked into.

In view of the above, the petition is disposed of with a direction to respondent No.3—Senior Superintendent of Police, Kapurthala, to look into the representation dated 09.04.2025 (Annexure P-4) and to take appropriate action, if any required at the earliest.

Disposed of.

(SUKHVINDER KAUR)
JUDGE

07.05.2025.

Komal

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