



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

CRM-M-45679-2023
Date of Decision: 29.04.2025

Amit Manhas

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Mr. Rahul Jindal, A.A.G., Punjab.

ANOOP CHITKARA, J.

1. Seeking launch of prosecution under Section 340 r/w 482 CrPC against respondent No.3 for filing false affidavit Annexure P-2 concealing her first marriage while filing petition before this Court, the petitioner who is husband of the girl namely Manpreet Kaur Saini has come up before this Court.

2. Petitioner's grievance is that when he came in contact with respondent No.3, respondent No.3 claims to be unmarried. After that, petitioner and respondent No.3 performed marriage and filed CRWP No.10074 of 2020 (Annexure P-1) and vide order dated 04.12.2020, a Co-ordinate Bench of this Court had disposed of the writ petition by directing the competent authority to decide their representation. Petitioner's grievance is that at the time of filing of CRWP, respondent No.3 had declared that she was unmarried whereas she was married, as such wrong averment was made in the petition and both the petitioner as well as this Court were mis-led.

3. Perusal of the petition reveals that respondent No.3 had filed a petition under Section 13-B of Hindu Marriage Act for dissolution of marriage and vide order dated 22.09.2015, the marriage was dissolved. Perusal of affidavit annexed with the copy of writ petition Annexure P-1 does point out that respondent No.3 mentioned that she was unmarried.

4. Due to matrimonial discord between the petitioner and respondent No.3 they are in litigation before the Court.

5. Be that as it may, even if respondent No.3 had concealed her first marriage at the time of filing of CRWP, no substantive relief was granted to the petitioners and



only direction was issued to decide the representation. Even otherwise, it was the duty of the concerned Senior Superintendent of Police to have taken action on the said representation and if respondent No.3 has not filed such petition, the said representation has to be decided, as such even an attempt was made to mis-lead this Court but respondent No.3 did not draw any actual benefit out of that for the reason that the only order which this Court had passed was to decide the representation. However, prior to that date, her marriage already stands dissolved. When respondent No.3 filed petition before this Court, the present petitioner was also co-petitioner with her and he was more aware about her marriage or dissolving of marriage instead of respondent No.3. Since the first marriage was not in existence, as such no action against respondent No.3 can be taken.

6. Given above, it is not a case worth issuing notice to the private respondent.

7. **Petition is dismissed.** All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

29.04.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.