



CRM-M-36571-2023

-1-

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

206

**CRM-M-36571-2023
Decided on:- 11.08.2025**

Gurmeet Kaur

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amardeep Singh Gill, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

Mr. Satnam Singh, Advocate for
Mr. Harsh Chopra, Advocate
for respondent No. 2.

* * * * *

AMARJOT BHATTI, J.(Oral)

1. Petitioner Gurmeet Kaur has filed petition under Section 482 Cr.P.C. for quashing of impugned FIR No. 171 dated 17.10.2022 registered at Police Station Adampur District Jalandhar Rural under Section 406, 498-A of IPC (Annexure P-5), challan (Annexure P-7) and consequent proceedings arising therefrom.

2. As per the facts of case, Sanjeet Kaur Dhillon – respondent No. 2 filed written complaint No. 210-PGD dated 30.08.2022 addressed to SSP (Rural) Jalandhar against her husband Supinder Singh Kang, Sat Pal Kaur Sandhar, Rashpal Kaur, Jasbir Singh Kang, Mandeep Kaur, Gurmeet Kaur-mother-in-law (petitioner) and Mindo with allegations of atrocities and maltreatment on account of demand of dowry. Complainant alleged that marriage of complainant/respondent No. 2 Sanjeet Kaur Dhillon was



solemnized on 02.03.2013 at Jalandhar according to Sikh religious rites. No child is born out of this wedlock. Marriage was arranged through Rashpal Kaur – accused No. 3 and Mindo – accused No. 7, who were family friends of accused No. 1 Supinder Singh Kang. On the asking of Satpal Kaur and Rashpal Kaur, she came to India regarding negotiation of marriage. Accused No. 2 was also residing in Canada who met the complainant. After full discussion, their marriage was fixed. It was decided that all marriage expenses and for coming to Canada will be borne by accused No. 1-Supinder Singh Kang. Thereafter, roka ceremony, ring ceremony, shagun ceremony took place and marriage was solemnized in a marriage palace on 02.03.2013. She joined company of her husband and stayed in matrimonial home alongwith accused Nos. 1, 4 and 5 from 02.03.2013 to 23.04.2013. About Rs. 12 lakhs were spent on her marriage. While going back to Canada, she gave 4000 Canadian Dollars to her husband on the asking of accused Nos. 2 to 5. At that time, behaviour of accused and their family members was good towards her. She visited India twice and sponsored accused No. 1 for Canada. All formalities were completed and she had spent about 15000 Canadian Dollars. She came to India and stayed from 19.04.2014 to 19.05.2014. She again visited India on 12.11.2015 and stayed till 01.12.2015. A path was organized in matrimonial home and mother of complainant gave Rs. 30,000/- to accused Nos. 1, 4 and 5 alongwith clothes on their asking. She had spent huge money as per their demand. Supinder Singh Kang received Visa in February, 2016 and came to Canada and joined her company. All expenses of Visa fee, Immigration fee, Lawyer fee was paid by her. From February, 2016 till May, 2018, they stayed in basement of house of her brother. She



was bearing all expenditure. Thereafter, without telling anything, accused No. 1 left the company of complainant and shifted to Calgary. She contacted accused Nos. 1 and 2 who were in Canada who did not give any satisfactory reply. She also contacted accused No. 3 in India in beginning of 2022 and at that stage, demand was raised to open bank account in the name of accused No. 1 – Supinder Singh Kang and to arrange residential house in his name if she wanted to live with him. She received summons from the Court in Canada bearing Court File No. E07147 in Supreme Court of British Columbia. She was mentally tortured and harassed. In case she had known about the intention of accused No. 1, she would have not invested huge money on marriage. All her istridhan is in illegal custody of accused Nos. 1, 4 and 5 and they have misappropriated the same. On demand they have refused to return. She also received threats to eliminate her. Finally, complaint was lodged, on the basis of which present FIR has been registered.

3. Learned counsel representing petitioner raised the issue that petitioner is mother-in-law of respondent No. 2, who is 73 years old lady. Respondent No. 2/complainant is permanent resident of Canada. She was earlier divorced and it was her second marriage. No child is born out of this wedlock. Sat Pal Kaur Sandhar – daughter of maternal uncle suggested this match for her son Supinder Singh Kang. Marriage was finally settled and it took place on 02.03.2013 about 9 years ago in accordance with Sikh rites. Marriage was a simple ceremony and no dowry articles were demanded or given as both spouses were to settle in Canada. Marriage Certificate dated 21.03.2013 is Annexure P-1. Her son and respondent No. 2 stayed together from 02.03.2013 till 23.04.2013. During this period, they lived happily and



there was no dispute. Respondent No. 2 went to Canada happily on 23.04.2013 and applied for Visa for Supinder Singh Kang. All expenses were borne by her son. Respondent No. 2 again came to India on 19.05.2014 as there was date of interview of Supinder Singh Kang before Canadian Embassy. They went for interview on 27.05.2014 and Visa of Supinder Singh Kang was rejected because it was second marriage of respondent No. 2. She again went back to Canada on 02.06.2014. Even during this stay, there was no dispute between husband and wife in matrimonial home. Respondent No. 2 filed an appeal against rejection of Visa of Supinder Singh Kang. Family of petitioner constructed a new house, and in November 2015 invited respondent No. 2 who came to India on 12.11.2015. She attended function and stayed happily in matrimonial home without any complaint. She again went back on 01.12.2015. In March, 2017, Supinder Singh Kang got permanent resident Visa and he went to Canada on 17.03.2017. They stayed in Calgary alongwith brother of respondent No. 2 and his family. Permanent Resident Card of Supinder Singh Kang is Annexure P-2. Supinder Singh Kang managed to get job and he started working. After two months, he suggested to his wife to live separately and to shift from her brother's house, but respondent No. 2 did not agree. She claimed that she will stay in the house of her brother till Supinder Singh Kang buys his own house. Her son suggested to shift in a rented accommodation but respondent No. 2 did not agree. Respondent No. 2 told her husband to get Rs. 50 lakhs from his parents to which he refused. There remained continuous dispute between husband and wife in Canada. She openly proclaimed that Supinder Singh Kang will have to stay in Canada as per her wishes. Due to continuous matrimonial dispute, Supinder



Singh Kang started staying separately from respondent No. 2 in Canada from May, 2018 and in September, 2018 he shifted from Calgary to Surrey in Canada. He filed divorce petition against respondent No. 2 on 16.07.2020 in the Supreme Court of British Columbia. Respondent No. 2 filed her response to said petition. She also filed a counter claim in Supreme Court of British Columbia to which accused No. 1 filed his response. Notice at the instance of her son and response filed by respondent No. 2 are Annexures P-3 and P-4 respectively. As a counter blast to said divorce petition, respondent No. 2 filed this complaint against entire family and without proper inquiry in the matter in controversy, present FIR No. 171 dated 17.10.2022 (Annexure P-5) (supra) has been registered. Investigating Agency has issued notice to Supinder Singh Kang under Section 105-B of Cr.P.C. Challan was also presented on dated 11.06.2023 (Annexure P-7).

Learned counsel for petitioner argued that no matrimonial dispute arose in India. Therefore, there was no justification in filing complaint and registration of FIR. Both Supinder Singh Kang and respondent No. 2 are residing in Canada on permanent basis. Whenever respondent No. 2 visited India, she lived happily in matrimonial home. She did not file any complaint during her stay in India. Alleged allegations of harassment, cruelty or demand of dowry are without any basis. Respondent No. 2 and Supinder Singh Kang-accused No. 1 have already taken divorce and all their claims regarding matrimonial dispute have been finally settled there in Canada. Present petitioner never interfered in matrimonial life of her son and respondent No. 2. She never visited Canada. She is an old lady, not keeping good health and has been unnecessarily dragged in this



litigation. No proper investigation was carried out by the police. It is prayed that petition filed by petitioner may be allowed and impugned FIR No. 171 dated 17.10.2022 (Annexure P-5) (supra), challan (Annexure P-7) and all subsequent proceedings arising therefrom may be quashed.

4. Petition is opposed by respondent No. 2 through her Special Power of Attorney Tirath Ram. Learned counsel for respondent No. 2 pointed out that there are serious specific allegations against petitioner and other family members regarding maltreatment on account of demand of dowry as detailed in FIR. Matter in controversy requires recording of evidence. Therefore, FIR and challan presented in this case cannot be quashed by filing this petition.

5. Status report is filed by learned counsel representing State of Punjab. It is pointed out that inquiry was conducted by DSP (PBI, Crime against Women and Children), Jalandhar (Rural) and thereafter present FIR has been registered. Contents of FIR clearly indicates that respondent No. 2/complainant visited India time and again. She had spent huge money to sponsor Supinder Singh Kang to go to Canada. All facts are duly mentioned in FIR. Petitioner joined investigation on 14.11.2022 and was granted interim anticipatory bail by learned Sessions Court, Jalandhar. During inquiry, other accused namely Sat Pal Kaur Sandhar, Rashpal Kaur (Mediators), Jasbir Singh Kang, Mandeep Kaur (brother-in-law and his wife) and Mindo were found to be innocent and challan was presented only against present petitioner and Supinder Singh Kang husband of complainant who has not joined investigation till date. At the time of filing of status report, challan was presented on 22.06.2023 and case was pending for consideration on charge. It is submitted that petition filed by petitioner



is without merits.

6. I have considered the arguments and have gone through the record carefully. Present petition seeking quashing of FIR No. 171 dated 17.10.2022 (Annexure P-5) (supra) alongwith challan report (Annexure P-7) has been filed by petitioner Gurmeet Kaur who is mother of accused Supinder Singh Kang and mother-in-law of respondent No. 2/complainant Sanjeet Kaur Dhillon. There is no dispute regarding marriage as well as visit of respondent No. 2/complainant to India after her marriage. Marriage of complainant Sanjeet Kaur Dhillon and Supinder Singh Kang took place on 02.03.2013. After marriage, she lived in matrimonial home till 23.04.2013. As per FIR, she again visited India on 19.04.2014 and stayed for one month till 19.05.2014. The petitioner has explained specific reason for coming to India in May 2014 and went back in June 2014. She again visited India on 12.11.2015 and went back on 01.12.2015. Apart from aforesaid visits to India, there is nothing on record to show that respondent No. 2/complainant came to India and stayed in matrimonial home. It has come in the contents of FIR that during her stay in matrimonial home, behaviour of accused and their family members was good towards her. It cannot be ignored that respondent No. 2/complainant completed all formalities to sponsor her husband to Canada. In petition, it is categorically mentioned that initially Visa of Supinder Singh Kang was rejected as respondent No. 2/complainant had performed second marriage. Respondent No. 2/complainant after her return to Canada filed an appeal against rejection of Visa of Supinder Singh Kang and finally Visa of Supinder Singh Kang was approved and as per FIR he came to Canada in February, 2016. During this entire tenure, respondent No. 2/complainant did not file



any complaint before any authority against her husband or other members of in-laws family. Therefore, so long respondent No. 2/complainant visited India, she remained happy in matrimonial home.

7. Supinder Singh Kang-husband reached Canada in February 2016 and both husband and wife stayed together in the house of her brother and thereafter, dispute started between husband and wife. Present petitioner Gurmeet Kaur never visited Canada and this fact is also admitted by learned counsel representing State. There was no interference from the side of present petitioner in the matrimonial life of husband and wife. The controversy started when Supinder Singh Kang on account of matrimonial dispute filed divorce case against his wife in the Supreme Court of British Columbia. There is Amended Notice of Family Claim dated 23.02.2022 (Annexure P-3) and response to Family Claim submitted by Sanjeet Kaur Dhillon dated 10.03.2022 is Annexure P-4. As per version of petitioner, marriage of Supinder Singh Kang and Sanjeet Kaur Dhillon has been dissolved by Supreme Court of British Columbia and copy of final order dated 14.06.2023 (Annexure P-6). After initiation of divorce proceedings, respondent No. 2 filed this complaint dated 30.08.2022. Prior to this, there was no complaint against husband or any member of in-laws family including petitioner – mother-in-law. Status report indicates that during investigation other persons named in complaint i.e. Sat Pal Kaur Sandhar, Rashpal Kaur, Jasbir Singh Kang, Mandeep Kaur and Mindo were found to be innocent. Present petitioner was granted relief of anticipatory bail. She joined investigation and qua her challan report has been submitted (Annexure P-7).



CRM-M-36571-2023

-9-

8. Facts and circumstances of case referred above clearly indicate that there are no specific allegations against petitioner regarding demand of dowry or maltreatment. So long respondent No. 2/complainant stayed in matrimonial home in India, she lived happily. Entire dispute started once husband and wife started living together in Canada. So far as petitioner is concerned, she never visited Canada. Therefore, there is no question of interference in matrimonial life of respondent No. 2/complainant or Supinder Singh Kang. It cannot be ignored that complaint was filed after initiation of divorce proceedings by Supinder Singh Kang.

9. In the light of this, I find merits in petition filed by petitioner. Registration of present FIR by respondent No. 2/complainant is result of subsequent matrimonial dispute with husband during her stay in Canada and for that, petitioner - mother-in-law cannot be held responsible. Registration of present FIR by respondent No. 2 is result of bitterness due to matrimonial dispute and vengeance. Therefore, continuation of criminal proceedings qua present petitioner Gurmeet Kaur is nothing but gross misuse of criminal procedure. Consequently, petition filed by petitioner – Gurmeet Kaur is, accordingly, allowed and FIR No. 171 dated 17.10.2022 registered at Police Station Adampur, District Jalandhar Rural under Section 406, 498-A of IPC (Annexure P-5), challan (Annexure P-7) and consequent proceedings arising therefrom stands quashed qua present petitioner.

10. Pending application(s), if any, also stands disposed of accordingly.

11.08.2025

lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No