

2025:PHHC:102081



CRM-M-42878-2025

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

(130)

CRM-M-42878-2025
Date of Decision:-07.08.2025

Naibo Devi

.....Petitioner

Versus

State of Haryana and other

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. B.S. Mamli, Advocate for the petitioner.

Mr. Paras Talwar, Senior DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed raising challenge to the order dated 09.02.2021 passed by learned Judicial Magistrate 1st Class, Shahabad and 17.02.2025 passed by learned Additional Sessions Judge, Kurukshetra (Annexure P-2), whereby, the respondent-Satpal has not been summoned by the Court below in the complaint filed by the petitioner.

2. Learned counsel for the petitioner submits that both the Courts below have fell in error in not summoning Satpal (accused No. 4 in the complaint and respondent No. 5 in the present petition) who happens to be the real brother of the husband of the petitioner. Learned counsel further submits that the trial Court, without there being any genesis, did not summon the respondent No. 5 against which the petitioner filed a revision petition which also led to the dismissal of the same *qua* the respondent No. 5 (Satpal).

2025:PHHC:102081



CRM-M-42878-2025

3. Heard learned counsel for the petitioner and have perused both the orders passed by the Courts below.

4. Admittedly, except from vaguely naming respondent (Satpal) in the complaint, there is no specific allegation or any specific role attributed to him. The complaint specifically records allegations against other accused persons but never named respondent-Satpal in any specific context. Learned Court below, after appreciating the preliminary evidence concluded that no *prima facie* case is made out against respondent No. 5. Moreover, in the revision petition also, it has been categorically recorded that Satpal is the brother-in-law of the complainant and there is no allegation against him, coupled with the fact that neither any evidence was brought on record against him nor any dowry article allegedly entrusted to him.

5. It is observed that filing complaints in matrimonial cases by indiscriminately naming family members of the husband, irrespective of their involvement has unfortunately become routine. The contributing factor to such misuse may be the lack of statutory provision to hold complainants accountable for falsely naming innocent family members.

6. In light of the above and finding no infirmity or perversity in the order passed by the Courts below and accordingly, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

August 07, 2025

Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No