



CRM-M-23367-2026 (O&M)

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

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CRM-M-23367-2026 (O&M)

Date of decision:28.04.2026

Ravinder Pal Singh

...Petitioners

VERSUS**State of Haryana and another**

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Manoj Kaushik, Advocate for the petitioner.

Shalini Singh Nagpal, J. (Oral)

1. Vide this petition under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023, petitioner seeks quashing of FIR No.102 dated 23.11.2025, under Sections 323, 406, 498-A, 506 of Indian Penal Code, Women Police Station Ballabgarh, District Faridabad and final report under dated 16.03.2026 under Section 173 Cr.P.C.

2. The facts, per FIR:

Complainant alleged that her marriage with Ravinder Pal was solemnized on 25.04.2012 at Omkar Garden, Sector 4, Faridabad and approximately Rs.18 lakhs were spent in the marriage. Substantial dowry, including gifts, gold and silver jewelry was given. She was led to believe that her husband, then serving in the Indian Navy and his family were educated and respectable government servants. However, after marriage, she was subjected to continuous harassment, taunts and physical assault for bringing insufficient dowry. Her in-laws stated that the dowry was not commensurate with her husband's status. Her husband along with his mother forcibly retained her istridhan and jewelry, not allowing her to use them. Whenever she



demanded their return, she was insulted. Her husband, often under the influence of alcohol, assaulted her and subjected her to mental and physical cruelty. Repeated demands were made for a Swift Dzire car, Rs.1 lakh in cash, and additional gold jewelry. Upon her failure to meet the demands, she was harassed and taunted. Despite enduring such treatment for the sake of her matrimonial life, even after the birth of her two sons, the demands continued. When she could not fulfil them, her in-laws disrespected her and refused responsibility of her children. On 11.01.2020, her husband and in-laws assaulted her and forcibly ousted her along with her two sons from the matrimonial home, after which she had been residing at her parental home and was dependent on her parents. Her two sons had been studying at KR Public School, Faridabad and their educational expenses of approximately Rs.75,000 per month were borne by her parents. She also suffered from serious health issues, including swelling in her intestines, for which she had been taking treatment at AIIMS Hospital, expenses whereof were borne by her parents. Her husband was employed at Prathma UP Gramin Bank, Jhokhabad, Secunderabad, District Bulandshahr, Uttar Pradesh, earning approximately Rs.1.5 lakh per month, receiving additional Navy pension of about Rs.50,000/- deposited in his PNB account, yet he did not provide her financial support except as directed by the Court. Her petition under the Domestic Violence Act was pending before the Faridabad Court. She had been living in severe hardship and under constant fear, apprehending danger to her life and that of her children from her husband and in-laws.



3. Learned counsel for the petitioner submits that the petitioner and respondent No.2 were married at Faridabad on 25.04.2012. On 11.01.2020, respondent No.2 left the matrimonial home along with both sons. She filed a petition under the Domestic Violence Act, 2005 on 14.02.2020 at district court Faridabad but no complaint was moved for registration of FIR. The FIR was got registered under Sections 323, 406, 498-A, 506 of IPC only on 23.11.2025. The maximum sentence provided under these sections was upto three years, therefore, there was a legal bar to take cognizance after lapse of period of limitation. Therefore, on this sole ground the FIR deserved to be quashed.

4. In *Vanka Radhamanohari (Smt.) v. Vanka Venkata Reddy & ors., 1993(3) SCC 4*, the wife who was subjected to cruelty left the matrimonial home in 1985. In 1990, she filed a complaint alleging cruelty and maltreatment against the husband and mother-in-law and further stating that the husband had remarried. The Magistrate took cognizance of offences under Sections 498A and 494 Indian Penal Code. On the petition of the husband under Section 482 Criminal Procedure Code, 1973 the High Court quashed the complaint. Hon'ble Supreme Court, on appeal from the judgment of the High Court held that the High Court erred in quashing the complaint as Section 468 Criminal Procedure Code, 1973 could not be applied to offence under Section 494 Indian Penal Code (for it is punishable with imprisonment for a term which may extend to 7 years) and even in respect of offence under Section 498-A, the attention of the High Court was not drawn to Section 473 Criminal Procedure Code, 1973 While setting aside the impugned order of the High Court, the Apex Court observed :



"As such, courts while considering the question of limitation for an offence under Section 498-A i.e. subjecting a woman to cruelty by her husband or the relative of her husband, should judge that question, in the light of Section 473 of the Code, which requires the Court, not only to examine as to whether the delay has been properly explained, but as to whether "it is necessary to do so in the interests of justice."

5. In the case in hand, FIR has been registered under Sections 323, 406, 498-A, 506 IPC. One of the allegations in the FIR is that the petitioner was continuously threatening to cause grave harm to respondent No.2 if she took action. The offence under Section 506 IPC alleged to have been committed is punishable with imprisonment for a term which may extend to 7 years. It cannot, therefore, be said that the complaint was barred by limitation. The period of limitation prescribed under Section 514 of BNSS (Section 468 Cr.P.C.) is only for offences for which punishment specified is imprisonment for a term not exceeding three years and even in such cases wide discretion is given to the Court in the matter of taking cognizance of an offence after the expiry of period of limitation.

6. Section 519 of BNSS Section (473 Cr.P.C.) provides that if any Court is satisfied on the facts and in the circumstances of the case that the delay has been properly explained or that it is necessary to do so in the interest of justice, it may take cognizance of an offence after the expiry of limitation. This Section opens with a non obstante clause and gives overriding effect to it over the provisions of Section 514 BNSS.

7. In '**Arun Vyas vs. Anita Vyas**' the Apex Court again dealt with similar issue and while considering Section 473 Cr.P.C. held:-

"The first limb confers power on every competent court to take cognizance of an offence after the period of limitation if it is



satisfied on the facts and in the circumstances of the case that the delay has been properly explained and the second limb empowers such a court to take cognizance of an offence if it is satisfied on the facts and in the circumstances of the case that it is necessary so to do in the interests of justice. It is true that the expression in the interest of justice in Section 473 cannot be interpreted to mean in the interest of prosecution. What the court has to see is 'interest of justice'. The interest of justice demands that the court should protect the oppressed and punish the oppressor/offender. In complaints under Section 498-A the wife will invariably be oppressed, having been subjected to cruelty by the husband and the in-laws. It is, therefore, appropriate for the courts, in case of delayed complaints, to construe liberally Section 473 Criminal Procedure Code in favour of a wife who is subjected to cruelty if on the facts and in the circumstances of the case it is necessary so to do in the interests of justice. When the conduct of the accused is such that applying the rule of limitation will give an unfair advantage to him or result in miscarriage of justice, the court may take cognizance of an offence after the expiry of the period of limitation in the interests of justice. This is only illustrative, not exhaustive."

8. Thus, while considering the question of limitation in relation to complaints made by victims of matrimonial offences, the Court can take recourse to Section 519 of BNSS (Section 473 Cr.P.C.) and take cognizance



of an offence even after expiry of period of limitation, considering the nature of allegations, the time taken by the police in the investigation and the fact that the offence is a continuing offence and affects the society at large. The power under Section 519 of BNSS (Section 473 Cr.P.C.) for extending the period of limitation ought to be exercised liberally. (*vide Sanapareddy Maheedhar and antoher vs. State of Andhra Pradesh and another, 2007(13) SCC 165*)

9. While exercising power under Section 528 of BNSS, this court is required to be extremely circumspect and cautious with regard to investigation and trial of criminal cases. Prosecution should not be stalled except when the court is convinced beyond doubt that FIR does not disclose commission of offence or the allegations contained in the FIR do not constitute any cognizable offence or that the prosecution is barred by law or that it is necessary to interfere to prevent abuse of process of the court. FIR cannot be quashed for silence of the complaint for 5 years after ouster from matrimonial home.

10. Present is not a case fit to invoke inherent jurisdiction of the Court to quash the FIR under Sections 323, 406, 498-A, 506 of Indian Penal Code, Women Police Station Ballabgarh, District Faridabad.

11. Dismissed.

12. Pending applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

28.04.2026
Kapil

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No