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

CRM-M-29058-2026 (O&M)

Date of decision: 21.05.2026

SURENDER SINGH

..... PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Dr. Sumati Jund, Advocate
for the petitioner.

SHALINI SINGH NAGPAL J.

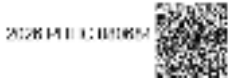
1. Petitioner seeks quashing of FIR No. 42 dated 17.07.2017 under Sections 342, 323, 506, 498-A, 406, 34 Indian Penal Code, Police Station Sadar Rajpura, District Patiala and all subsequent proceedings arising therefrom.

2. The facts per FIR:

The case was registered on statement of complainant/respondent No. 2 who alleged that she was married with Surender Singh son of Ranjeet Singh resident of village Uksi Sainia, P.S. Sadar Rajpura on 01.12.2013. Surender Singh was working as a Clerk in Punjab University Chandigarh. After a week of the marriage, she fell ill. At that time, her sister-in-law came to meet her and took her to the chemist shop in the village for getting medicine. Thereafter, she dropped her back home and returned to her house. After her sister-in-law left, her mother-in-law taunted her as to why, he went with her *Bhabhi* to get medicine. When her husband returned home, her mother-in-law incited him on which account, Surender Singh slapped her on her face, abused

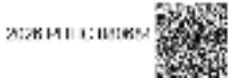


her and her family saying that they did not give car, even though her family had given sufficient *stree dhan* as per their capacity and spent Rs.9,34,800/-on marriage. Certain items of *stree dhan* were still lying in possession of her in-laws. Her husband Surender Singh, mother-in-law Baljit Kaur and father-in-law Ranjeet Singh kept on taunting her saying that her relatives never brought any gifts for them. Her husband locked her in a room after thrashing her and did not allow her to meet anyone. When her daughter was to be delivered, Surender Singh held her hand, pushed her on the ground from the bed, due to which her daughter was born prematurely in the 8th month. Her husband thrashed her, abused her on the instigation of her father-in-law and mother-in-law. Whenever her father-in-law and mother-in-law came to her house at village Uksi Sainia, they used to incite her husband to beat her saying that they would behave in that manner, till their demands for dowry were fulfilled. *Panchayati* compromise was also entered into with her husband, mother-in-law and father-in-law with respect to the demands. She tolerated everything for her daughter's future and used to return to her matrimonial home in Uksi Sainia on the advice of her family. Yet, her in-laws did not mend their ways and kept on beating and abusing her for fulfilling their demands for dowry, threatening to throw her out of the house, if she did not bring car. On 14.07.2017, her mother-in-law came to village Uksi Sainia and instigated her husband to force her to get dowry. Her father-in-law Ranjeet Singh was also in constant touch with her husband and mother-in-law and instigated her husband to demand dowry. Surender Singh thrashed her at night saying that he would keep beating her till she fulfilled his demands. The next day on 15.07.2017, at about 7.30 AM, when her daughter



was to go to school, he again, with the support of her mother-in-law thrashed her. Her husband hit her on the face, punched her below her right eye and also on the left eye. Her mother-in-law Baljit Kaur pushed her because of which she fell on the floor and her left arm was injured. Then Surinder Singh hit her right knee, right side of her stomach with her legs. Neighbours gathered outside the house after hearing her screams and her husband left for office. She called her sister-in-law Manpreet Kaur at Ludhiana and narrated the matter to her. She came to Rajpura and got her admitted in A.P. Jain Hospital at Rajpura, where she was being treated. Her husband, mother-in-law and father-in-law forced her to get dowry from her parental home, which she and her family could not provide. Legal action was prayed for.

3. Learned counsel for the petitioner submits that marriage of petitioner and respondent No. 2 was solemnized on 01.12.2013 as per *Sikh* rites and ceremonies. Two children were born out of the wedlock. Due to marital discord, respondent No. 2 returned to her parental home and concocted a false story to implicate the petitioner in a false case. Allegations against the petitioner were vague and general in nature. The FIR against the mother-in-law already stood quashed vide order dated 29.01.2026 of this Court in CRM-M-10923-2018. Though the marriage was solemnized in the year 2013, the FIR was registered after 04 years and no complaint was ever moved in the interregnum period. Respondent No. 2 had strained relationship with the petitioner on account of her quarrelsome nature. It was a case of false implication and there was no iota of truth in the allegations levelled. The case was illustrative of

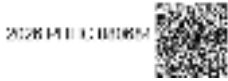


misuse of the provisions of Sections 498-A, 406 IPC and therefore, deserved to be quashed qua the petitioner as well.

4. The power under Section 482 Cr.P.C. entitles the High Court to quash criminal proceedings when it is found that allowing the proceedings to continue would result in abuse of the process of Court or that the ends of justice requires that the proceedings be quashed. However, the inherent power is to be exercised in rare and exceptional cases. It is not the function of this Court, while dealing with a petition under Section 482 Cr.P.C. to weigh the pros and cons of prosecution case. Merits of the allegations cannot be examined in quashing petition as in appellate jurisdiction or while conducting trial. If a *prima facie* case is made out disclosing the ingredients of the offence, the Court should refrain from quashing criminal proceedings. The FIR, brief summary of which has been reproduced above, gives the details of the offences allegedly committed and the manner in which the offence was committed. Whether or not, respondent No.2 was indeed treated with cruelty by petitioner is a question which can be decided only on the conclusion of trial, upon appreciation of evidence led by the prosecution and the defence. Disputed questions of fact cannot be examined in quashing petition when the FIR *prima facie* discloses commission of cognizable offence(s).

5. In **Hira Lal v. State (Govt. of NCT) Delhi, 2003 SCC(Cri)2016**, Hon'ble Supreme Court ruled this:-

“It is a firmly established principle that, while examining a petition for quashing under Section 482 of the Crpc, the court must refrain from conducting a mini-trial or undertaking a detailed



evaluation of the evidence. The inherent power to quash criminal proceedings is to be exercised only in rare and exceptional circumstances, such as where the allegations in the FIR are patently absurd, inherently improbable, or fail to disclose any cognizable offence. When the FIR or complaint, on its face, discloses the basic ingredients of a cognizable offence, the appropriate course is to allow the process of investigation and trial to continue, rather than prematurely terminating the prosecution at an interlocutory stage. Interference at this stage would not only impede the investigative process but also defeat the very object of criminal justice.”

- 6. Considering the nature and substance of allegations against the petitioner who is the husband of respondent No.2, it is not a fit case to exercise jurisdiction under Section 482 Cr.P.C.
- 7. The petition is, therefore, dismissed with liberty to the petitioner to raise all pleas before the trial Court.
- 8. Nothing observed hereinabove shall be construed as an opinion on merits of the case.
- 9. Pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

21.05.2026
Ajay Goswami

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No