

(2012) 09 P&H CK 0180

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-26935 of 2012 (O and M)

Mangal Singh and Others

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 03-09-2012

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 148, 149, 323, 406, 498A

Citation : (2012) 09 P&H CK 0180

Hon'ble Judges : Sabina, J

Bench : Single Bench

Advocate : Sandeep Kotla, for the Appellant;

Final Decision : Dismissed

Judgement

Sabina, J.—Petitioners have preferred this petition u/s 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No. 130 dated 27.06.2012, under Sections 498A,406,323,506,148,149 of the Indian Penal Code, registered at Police Station Sadar Jind and all the subsequent proceedings arising therefrom. The prosecution story in brief is that respondent No. 3 was married to Yash Pal Singh-petitioner No. 4 and respondent No. 2 was married to Manjeet Pal Singh-petitioner No. 3 on 25.06.2011. The father of respondents No. 2 and 3 had given sufficient dowry at the time of their marriage and had spent about Rs. 7 lacs at the time of their marriage. Respondents No. 2 and 3, however, were harassed on account of insufficiency of dowry by the petitioners. Demand of Rs. 2 lacs and a Car was raised from respondents No. 2 and 3. Both respondents No. 2 and 3 were given beatings by the petitioners. Thereafter, a Panchayat was convened and the father of respondents No. 2 and 3 gave Rs. 50,000/- in cash to petitioner No. 1 Mangal Singh in the presence of all the other petitioners and the Panchayat. Thereafter, the father of respondents No. 2 and 3 left them in their matrimonial home. The petitioners, however, continued harassing respondents No. 2 and 3. On one occasion, petitioner No. 1 tried to commit rape on the

person of respondent No. 2 on finding her alone in the house. Parents of respondents No. 2 and 3 came to their matrimonial home and complained about the said fact to the petitioners but the petitioners abused the parents of respondents No. 2 and 3. Thereafter, the parents of respondents No. 2 and 3 convened Panchayat. Before the Panchayat, petitioner No. 2 sought pardon. On 17.12.2011, the petitioners again gave beatings to respondent No. 3 and raised a demand of Rs. 7 lacs. Respondents No. 2 and 3 were thrown out of their matrimonial home after giving beatings.

2. Learned counsel for the petitioners has submitted that FIR in question was registered at Police Station Sadar Jind on a direction issued by Chief Judicial Magistrate, Jind. No cause of action had arisen at Jind and hence the FIR in question was liable to be quashed.

3. After hearing the learned counsel for the petitioners, I am of the opinion that the instant petition deserves dismissal.

4. The marriage of respondents No. 2 and 3 was performed at Jind. As per the FIR, dowry articles had been entrusted at Jind. At one occasion, a Panchayat was convened by the father of respondents No. 2 and 3 at Jind. In the Panchayat also, the petitioners had raised demand of Rs. 2 lacs and a Car. Hence, there is no force in the arguments raised by learned counsel for the petitioners that no cause of action had arisen at Jind.

5. In these circumstances, it would not be just and expedient to settle the criminal proceedings at the very threshold. Dismissed.