



CRM-A-223-2025 (O&amp;M)

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

(221)

CRM-A-223-2025 (O&amp;M)

Date of Decision:- 08.09.2025

Poonam

.....Applicant

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr. Rajveer Singh Brar, Advocate for the applicant.

Mr. Japjot Singh, AAG, Punjab.

None for respondent No. 2.

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**ALOK JAIN, J. (Oral)**

1. The present appeal has been filed which raises challenge to the judgment/order dated 28.10.2024 passed by learned Chief Judicial Magistrate, Faridkot, whereby, the respondent/accused has been acquitted in a complaint case No. COMI-35-2019 under Sections 498-A, 406, 323, 506 and 120-B of the Indian Penal Code.

2. The copy of the entire testimonies of material witnesses has been filed by the counsel for the applicant who vehemently argues that the learned Court below has fell in error in not appreciating the evidence in its correct perspective and has acquitted the accused from the charges framed under Sections 498-A, 406 and 323 of the Indian Penal Code. It is submitted that the respondent had committed the offence under Sections 498-A and 406 of IPC as he had been regularly withdrawing the salary of



the applicant by forcing her to sign on the cheques and due to the atrocities, the applicant had to go to her sister's house who took her to the hospital. The allegations have been levelled that the respondents have snatched the gold set, four gold bangles and a kitty gold set and the same was taken by the mother of respondent-husband in her possession. It is submitted that despite the fact that issue No. 1 was decided in the favour of the prosecution, the trial Court has wrongly acquitted the accused.

3. *Per contra*, learned State counsel submits that the applicant had failed to bring any cogent and convincing evidence to entail the conviction and there is no illegality or infirmity in the order passed by the Court below.

4. Heard learned counsel for the parties at length and perused the testimonies of the material witnesses as provided by the counsel for the applicant. Admittedly, the complainant herself in her cross examination stated as under:

*"I got married to Raman Monga on 27.04.2002. at that time I was doing my B.ed through correspondence from Punjabi University Patiala. My husband was lecturer at Polytechnic College, Amritsar at the time of our marriage. After marriage I did double MA and M.com and M.ed from Punjabi University Patiala. I was ETT Teacher from 1.01.1998 to 2007. I completed B.ed in 2002 after my marriage and then I completed my other education. It is wrong to suggest that my husband has ever paid for my education after my marriage. I have two children. My son is doing B.tech from Thapper University Patiala and daughter is*



*in 8th Standard. It is correct that my husband is paying the fee of my son for doing B.Tech which is nearly Rs.6 lakhs per year including all the hostel charges. It is correct that from 27.07.2018 to till today I am residing at Kotkapura H.No.740, Street No.7, Partap Nagar Kotkapura. It is correct that the registry of the said house is in the name of my husband. It is correct that my husband never send any legal notice to me for vacating the said house. Voluntarily stated that he said me orally on 27.07.2018. I have filed other cases against my husband apart from this, some of the cases are pending and some are already decided. I have filed one case under Section 125 Cr.P.C which is only for the maintenance of my children. I have not filed any case under Section 125 Cr.P.C for maintenance of myself. It is wrong to suggest that I am intentionally suppressing the fact that the case under Section 125 Cr.P.C filed for maintenance of myself was dismissed by the Ld. Family Court Faridkot. My son is at presently 21 years old. It is correct that the maintenance of my son was closed after attaining the age of 18 years. It is correct that my husband is paying all the fees of my son even after attaining the age of 18 years. It is correct that when my son visit during holiday then I am spending for all his expenses. When I filed the present case that time my husband was posted at Ferozepur polytechnic College. At presently my husband is posted at Government Polytechnic College Bhiki Wind. It is correct that I remained with my husband's company at Ferozepur from 2007 to 2010. My job at that time was in District Faridkot and my posting station was 20 KM from Ferozepur at that time. I never stayed at Fazilka*



*permanently after my marriage. Voluntarily stated my job was at Kotkapura. It is correct that at that time my husband was staying with me at Kotkapura. It is correct that I have never given any complaint against my husband or my mother-in-law in the police station regarding harassment for dowry from 27.04.2002 to 27.07.2018. It is correct that my father-in-law had died when my husband was of two years old and he is the only son of his mother. It is correct that my mother-in-law was also in government job and retired in 2004. It is wrong to suggest that I have ever pressurized my husband that I do not want to keep my mother-in-law with me. At presently I am withdrawing salary of Rs.1 Lakh per month and all the salaries received by me in my account.*

*Further cross-examination is deferred on request of counsel for the accused.”*

5. A perusal of the testimony clearly demonstrates that the respondent has been performing his both the duties of being a husband as well as of the father. The petitioner as well as respondent are highly educated citizens and working as a lecturers in college. There is not even a single iota of evidence to show any harassment or misappropriation of *istridhan* on the part of the respondent. Since, the date of marriage was 27.04.2002 and the present complaint came to be filed in the year 2019 after an alleged incident of 28.07.2018. There is no explanation for the delay moreover, it is also not forth coming as to what was the reason for lodging the present complaint. The medical evidence being relied upon by the counsel for the applicant was only with regard to the appellant being



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diagnosed with Nausea, Sweating and chest pain and she was kept under observation in the ICU on 28.07.2018. There is neither any earlier medical history of the applicant nor subsequent medical record was ever proved.

6. Accordingly, the learned trial Court has considered the entire evidence in its correct perspective and this Court does not find any merit in the present appeal and accordingly, the same stands dismissed.

**(ALOK JAIN)**  
**JUDGE**

**08.09.2025***Parul*

Whether speaking/reasoned:-  
Whether Reportable:-

Yes/No  
Yes/No