

**In the court of Kapil, Judicial Magistrate Ist Class, Panipat
(UID No.HR0407)**

Criminal Case No. 22 of 2015

Date of Institution: 15.09.2015

CIS No. COMA/183/2015

Date of order: 04.10.2019

Kusum wife of Sandeep Kumar D/o Rajbir, R/o near Satyam Palace, Bharat Nagar, Babail Road, Panipat.

.... Petitioner

Versus

1. Sandeep son of Sh. Ved Parkash R/o Bhagwati Wood Works, near Shanti Mandir, Jatal Road, Panipat (husband of complainant)
 2. Ved Parkash son of Sunder Lal (father-in-law of complainant)
 3. Balesh Devi w/o Ved Parkash (mother-in-law of complainant)
 4. Sonia D/o Ved Parkash (Nanand of complainant)
 5. Pardeep Kumar son of Ved Parkash (Devar of complainant)
 6. Vikas son of Ved Parkash (Devar of complainant)
- All residents of Bhagwati Wood Works, Jatal Road, near Shanti Mandir, Panipat.

.... Respondents

Complaint U/S 12 of the Protection of Women from Domestic Violence Act, 2005 (43-2005)

Present: Shri S.C.Saini, counsel for petitioner
 Shri Kartar Singh and Shri Rahul Kakkar, counsels for respondents

ORDER

Present petition under Section 12 of Protection Of Women from Domestic Violence Act 2005 (hereinafter referred to as Act) is filed by petitioner against respondents with the allegations that her parents had performed her marriage on 10.02.2010 according to Hindu rites and ceremonies with respondent No.1 and spent more than Rs.4 lac/- on the said marriage and gave sufficient dowry articles valuable clothes and jewelery etc. It has been further averred that after marriage, the complainant/applicant went to her matrimonial home and on the same day the husband and father-in-law of the complainant/applicant started taunting that parents of the complainant/applicant have not given motor-cycle,

cash Rs. one lac/-, gold rings and gold chain etc for the respondents. She was taunted for bringing less dowry. She further said that when she requested them that her parents have already spent beyond their capacity and now they are not in position to fulfill their demands, at this the respondent No.1 gave many slaps. It has been further averred that when the complainant/applicant went to her parental home first time, she narrated the whole story to her parents. In order to keep peace in her matrimonial life, her parents arranged and gave Rs.25,000/- to her and sent her to her matrimonial home. It has been further averred that when the complainant/applicant was pregnant, the respondents and his family members did not care her. However, on 17.02.2011, the complainant/applicant gave birth to a female baby namely Avantika at Geeta Nursing Home, Panipat. All the delivery expenses were made by the parents of the complainant/applicant. The mother of the respondent no.1 taunted her for the birth of daughter whereas they needed a son. It has been further averred that respondent works at Mittal Medical Store near Chhabra Hospital and earns about Rs.25,000/- p.m. but never paid any penny to the complainant/applicant and spent all his income on his drinking habits and used to give severe beatings to the complainant/applicant. It has been further averred that under the conspiracy, the family members of respondent no.1 separated the complainant/applicant and respondent from their family and thus complainant/applicant and respondent No.1 started living separately. But even then respondents No.4 and 5 used to visit the house of complainant/applicant and unnecessarily used to abuse and quarrel with her on the instigation of parents and sister of respondent No.1. The respondent No.1 did not let the complainant/applicant to meet any person and did not let her talk on telephone with her parents or any other person and kept an eye on the complainant/applicant. On 19.01.2013, respondent came at home in late hours in drunkard condition and pressurized the complainant/applicant to fulfill the aforesaid demands. When the

complainant/applicant refused to admit his illegal demand, the respondent No.1 gave severe beatings to the complainant/applicant saying that the respondents have already committed a murder about 12 years ago and if petitioner does not obey the respondents and his family members, it will again take no time to eliminate the only brother of complainant/applicant. The complainant/applicant narrated the whole cruelty to her parents on telephone and also called up police but to no effect. Then complainant/applicant again rang up at phone No.1091 at which the police of PP 8-marla called the complainant/applicant at police post. The respondents snatched her baby Avantika. The complainant/applicant visited 8-marla police post and narrated the whole story. The respondent no.1 and his all family members and many other persons also reached at 8-marla Police Post, who admitted their mistake and apologized and gave assurance that in future they will not make any demand and they will not misbehave with complainant/applicant and will keep her peacefully and happily and in this way they entered in to a compromise in the presence of responsible and respectable persons on very same day. The respondents handed over the baby Avantika to the complainant/applicant. Thereafter, complainant went to her parental home with her parents. The police directed the respondent No.1 to take complainant/applicant to matrimonial home within 3-4 days from her parental home. But respondent instead of taking the complainant/applicant and her baby from parental home to matrimonial home, filed a divorce petition against the complainant/applicant on 24.01.2013. It has been further averred that applicant moved an application before Women Cell vide No.272/SPR dated 04.02.2013 which was forwarded to police post 8-marla for investigation. Both the parties were called at 8-marla police post. The respondent and his family members along with respectable persons came at the house of complainant/applicant and in the presence of respectable persons requested that respondent No.1 will keep and maintain the complainant/applicant and not to take

any action on the said application. Respondent no.1 further said that he is ready to give an undertaking that he will withdraw the divorce petition from the court. The respondent though withdrew the said divorce petition but never came to take the complainant/applicant. Complainant again moved application on 26.08.2013 to SP Panipat where again a compromise took place on 05.09.2013 and respondent no.1 assured to take the complainant/applicant to her matrimonial home but he did not turn up. It has been further averred that a panchayat was convened in the month of June 2015 to patch up the matter in which respondent no.1 and his family members and alongwith with other respectable persons and complainant/applicant and her family members including Mahabir Panch son of Ram Dhari, Ram Kumar son of Chatar Singh were also present. All requested the respondent No.1 and his family members to keep and maintain the complainant/applicant peacefully and happily but respondent No.1 and his family members were adamant and refused to admit their claim till their above demand is not fulfilled, hence she has got no other alternative but to file this petition against the respondents seeking reliefs under the Act.

2. After filing of the petition, domestic incident report was called from protection officer and notice was sent to respondents who appeared through their counsel and filed their joint reply to the petition by taking preliminary objections regarding misuse of process of law; not come with clean hand before the Court etc. While replying on merits, respondents submitted that the said marriage was a very simple marriage and no dowry had been given or taken in the marriage. The answering respondents convened many panchayats and efforts to bring the applicant back with respondent No.1 but the applicant abused the respondents in open panchayat and refused to come back and threatened the respondents to involve them in false cases by committing suicide. Infact answering respondents are the real victims of the cruelty at the hands of applicant and for which they

broke all their relations with her & respondent No.1 and also evicted respondent No.1 from his property & life in the month of September 2011. The fact is that the applicant has filed many more cases and applications against the respondents and in a case u/s 498-A IPC, applicant herself gave statement before I.O of the case that she did not want any recovery of her alleged things & goods etc. Moreover, the applicant also gave her oral statement before the Hon'ble Court of Sh. S.K.Garg, Ld. ADJ, Panipat that she does not want any recovery of her alleged things/goods. Rest, all the contents of the petition have been denied and a prayer for dismissal of the petition with costs has been made.

3. In support of her case, petitioner Kusum examined herself as PW1 and in her evidence, she tendered her duly sworn affidavit i.e. Ex. PW/1 vide which she reiterated the contents of her petition. Thereafter, petitioner got examined her father Rajbir Singh as PW2 and in his evidence, he tendered his duly sworn affidavit as Ex.PW2/A vide which he fully corroborated the case of petitioner. Thereafter, petitioner got examined her maternal uncle (mama) Mahabir as PW3 and in his evidence, he tendered his duly sworn affidavit as Ex.PW3/A vide which he also supported the case of petitioner. In the end, petitioner got examined her maternal uncle (mausa) Ram Kumar as PW4 and in his evidence, he tendered his duly sworn affidavit as Ex.PW4/A vide which he also fully supported the case of petitioner. Thereafter, petitioner closed her evidence vide separate statement and the following document was also tendered in her evidence:-

Ex. Px Domestic Incident Report

4. On the other hand, respondent no.1 Sandeep Kumar himself appeared into the witness box as RW-1 and in his evidence, he tendered his duly sworn affidavit i.e. Ex.RW1/A vide which he fully supported his case. Thereafter, respondents got examined Surajbhan as RW-2 and in his evidence, he tendered his duly sworn affidavit i.e. Ex.RW2/A vide which he fully supported the case of

respondents. Thereafter, evidence of the respondents was closed by their counsel vide his separate recorded statement and the following documents were also tendered on their behalf:-

Ex.R1	Copy of petition titled as "Kusum etc Vs Sandeep Kumar" under section 125 Cr.PC
Ex.R2	Application moved by petitioner before SP Panipat.
Ex.R3	Application moved by petitioner before Women Cell
Ex.R4	Copy of order passed by Sh. Rakesh Kadian, the then Ld. JMIC, Panipat.
Ex.R5	Copy of bail order dated 05.11.2015 passed by Dr. Sushil Kumar Garg, the then Ld. ASJ Panipat.
Ex.R6	Copy of ration card
Ex.R7	Certified copy of report u/s 173 Cr.P.C.
Ex.R8	Copy of doctor report
Ex.R9	Certified copy of statement of IO
Ex.R10	Certified copy of statement of Suraj Bhan
Ex.R11	Certified copy of judgment dated 05.07.2019 passed by Sh. Jasbir Singh Sidhu, Ld. ASJ, Panipat.
Ex.R12	RTI application.
Ex.R13	Application moved by petitioner before Chowki Incharge, Quilla Panipat.
Ex.R14	Application moved by respondent before SP Panipat
Mark R1 to Mark R60	Photographs
Mark R61	Copy of bail order dated 05.11.2015 passed by Dr. Sushil Kumar Garg, the then Ld. ASJ, Panipat
Mark R62	Application moved before SP Panipat.

5. In her rebuttal evidence, petitioner tendered the following documents:-

Mark C1	Copy of <i>panchayati</i> compromise dated 19.01.2013.
Mark C2	Copy of affidavit given by Sandeep dated 14.02.2013.
Mark C3	Copy of compromise before Women Cell
Ex.P1	Certified copy of application dated 01.02.2013.
Ex.P2	Certified copy of statement of Kusum & Rajbir dated 15.02.2013.
Ex.P3	Certified copy of statement of Sandeep dated 15.02.2013.
Ex.P4	Certified copy of police investigation report dated 15.02.2013.

6. I have heard learned counsel for both the parties and have also gone through the case file very carefully.

7. Learned counsel for petitioner has submitted while arguing that respondents used to treat the petitioner in a very bad manner as they were not satisfied with the dowry articles brought by her in the marriage. They used to taunt her and even beat her. Despite fulfilling their all illegitimate demands of dowry viz. giving them Rs.25,000/- by her parents they continued having rude approach towards the petitioner. All the delivery expenses of the birth of the daughter namely Avantika were borne by her parents. Respondent no. 1 is working at Mittal Medical Store and having a good source of income, therefore, present petition be allowed and reliefs sought in the petition be given to petitioner Kusum. Despite making compromises several times with the petitioner not only in *panchayats* but also in the police station as per compromises Ex.P2 to Ex.P4, she was still made to suffer at the hands of the respondents for no any fault of her. In support of her contentions, learned counsel for petitioner drew the attention of court towards statement of PW1 Kusum who is petitioner herself. She, in her examination in Chief through her affidavit, reiterated the whole averments taken in the petition. PW2 is Rajbir Singh, who is father of the petitioner. He also supported the version of petitioner by reiterating the whole story written in the petition. Petitioner has also examined one Mahabir Singh as PW3 and he also fully supported the case of petitioner vide his duly sworn affidavit as Ex.PW3/A and in the end, petitioner has also examined one Ram Kumar as PW4 and he has also fully supported the case of petitioner by tendering on record his duly sworn affidavit as Ex.PW4/A. Learned counsel for petitioner also drew the attention of court towards the domestic incident report Ex.Px filed by the Protection Officer in this petition. On the basis of above discussed oral as well as documentary evidence, learned counsel for petitioner submitted that petition be accepted and the reliefs sought in the petition

Kapil, JMIC,
Panipat, 04.10.2019

be given to Kusum. To give strength to his contentions, he has also referred to case laws titled as "**S.R Batra & others Vs Taruna Batra; AIR 2007 SC 1118**" & "**Geeta Kapoor & others Vs State of Haryana & others; 2014 (3) CCJ 747 (P&H)**".

8. On the other hand, learned counsel for respondents submitted that present petition is based on totally false facts. Actually, petitioner herself left her matrimonial home for no cause and reason. No act of domestic violence was ever committed by respondents upon the petitioner. The applicant never complained regarding any dowry demand during her stay with respondent No.1. The present application is counter-blast to the divorce petition filed by the respondent No.1. The petitioner is already getting Rs. 6,000/- from respondent no.1 Sandeep u/s 125 of Cr.P.C as per order Ex.R11, but petitioner under the misguidance and influence of her parents has filed the present false petition against the respondents after a span of more than two and half years of her leaving the matrimonial home on dated 19.01.2013 without any cause and reason and so the present petition is also liable to be dismissed on the ground of bar of limitation of one year as per section 468 of the Cr.P.C. Infact, she has filed this present false petition just for grabbing money from the respondents. Further, he has drawn the attention of the court that no any specific evidence is placed on the case file by the petitioner to show any act of mental or physical cruelty committed upon her by the respondents. No any specific date, month or year of such allegations of demands of dowry has been proved on the case file by the petitioner. Petitioner has herself left the company of respondent No.1 and now on the basis of her one sided statement appended with the domestic incident report Ex.PX, no any relief qua her petition can be given to her as the above said domestic incident report Ex.PX was prepared in the absence of respondent no.1 and so the same is not binding on the rights of respondent No.1. So, no any relief under the domestic violence act as claimed by her in this

petition be given to her. In support of his contentions, learned counsel for respondents drew the attention of court towards the oral evidence as well as documentary evidence placed on the case file and finally prayed that present petition is liable to be dismissed.

9. I have appreciated the rival contentions of both sides and perused the case file minutely. Purpose of passing of Protection Of Woman from Domestic Violence Act was to prevent the women from the incidents of domestic violence. In this Act, domestic violence is given a very wide meaning because it includes financial, mental, physical, social & economical violence etc. Therefore, onus is upon the petitioner to first of all establish that she had been subjected to any kind of domestic violence by the respondents and then only, she can claim any relief under this Act. In the present case, petitioner Kusum, in her petition filed under section 12 of the Act, has leveled many allegations against the respondents like they used to beat her, harass her, maltreat her, abuse her, all of the expenses for her delivery of her baby girl were borne by her parents but the respondents are malafidely and greedily demanding the same from her parents, she was taunted for bringing less dowry and even shunted out of her matrimonial home in bare three clothes etc. In proof of her allegations, petitioner examined herself as PW-1. Though, in her duly sworn affidavit Ex.PW1/A, she has reiterated the whole of the contents mentioned in the petition but from her cross examination, it has emerged out that she has miserably failed to prove and establish her contentions and has rather deposed on the lines of the stand taken by the respondents. She has deposed that in the FIR case lodged by her against the respondents, no any dowry articles were recovered from their possession. She has also deposed that it is only her statement which was recorded by the Protection Officer during the enquiry conducted by her. Meaning thereby, the domestic incident report Ex.PX was prepared unilaterally without giving any opportunity to the respondent no.1 to

represent his case, so the domestic incident report Ex.PX cannot be forced upon the respondent No.1. Even it is also neither the case of the petitioner that despite issuing of notice to the respondents, none of them appeared to join in the enquiry proceedings conducted by the protection officer, nor any evidence in this regard is placed on record by the petitioner. So the whole of the reliance of the petitioner on the said domestic incident report Ex.PX is baseless especially while looking at the various lacunas present in the instant petition filed by her. She has specifically alleged that during her pregnancy and after the birth of her daughter, she was subjected to mental as well as physical cruelty by the respondents for giving birth to a female child and even all of the delivery expenses were borne by her parents. However, in her cross-examination, she has specifically stated that after the birth of her daughter, the respondents had organized religious function/*jagran* in their home in which her parents had also paid their visit. She has also stated that respondent No.1 had got conducted her delivery in the Geeta Nursing Home. In this regard, no any evidence is led by petitioner to show that all of the delivery expenses were borne by her parents whereas respondent No.1 has placed on record medical record/doctor report Ex.R8 which establishes the fact that all of the delivery expenses were borne by him rather than the parents of the petitioner as falsely alleged by her in her petition but the truth has emerged out in her cross-examination as stated above. She has also deposed to the effect that she had lastly went to her parental home from her matrimonial home on dated 19.01.2013 and this is also quite contrary to her allegation of shunting her out from her matrimonial home. She has also deposed that to the effect that respondent No.1 before going to his job used to arrange milk for their infant daughter and other house hold articles in the morning and this is also nothing but the specific defence of the respondent No.1 that he had always cared for his wife/petitioner as well as their infant daughter which has been admitted by the petitioner herself in her

cross-examination. Another stark reality which has come on record from her cross-examination is that she has filed this present petition after making deliberations with her father as she has herself deposed that on returning to her parental house, her father had filed petitions under section 125 Cr.P.C, D.V Act and an FIR for demanding dowry. It implies that all the family members of the petitioner had colluded with each other so as to harass the respondent No.1 and his family members despite the respondents doing best which they all could do so as to make the petitioner settle down in her matrimonial home as the perusal of photographs Mark R1 to Mark R60 clearly shows that the petitioner was given the best conducive environment by the respondents. It has also come on record from her cross-examination that the respondent No.1 is regularly paying the maintenance allowance u/s 125 Cr.P.C to her and their minor daughter and this also shows that the respondent No.1 had never been negligent in his duty towards his wife/petitioner and their minor daughter. She was also deposed that she had received the summons of the divorce petition and it is also the case of petitioner that the respondent No.1 had filed divorce petition against her and after this, she has filed this present petition. Meaning thereby, it is nothing but a counter-blast petition filed by her just in order to create undue pressure upon the respondents. It has emerged out that she herself was indifferent towards the respondents as she has herself shown her ignorance regarding the age of her father-in-law and mother-in-law, regarding the date of the marriage of her sister-in-law/respondent No.4 and the residence of her brother-in-laws i.e respondents No.5 and 6. Had she been kind and generous towards her husband/respondent No.1 and his family members i.e other respondents then she would not have shown her ignorance regarding such basic facts pertaining to her in-laws family members. It is but obvious that due to her indifferent attitude towards them, the respondent No.1 was forced to file the divorce petition against her and now in counter-blast, she has

filed this present false petition despite the fact she lived happily at her in-laws house after her marriage and thereafter, she resided separately with respondent No.1 as has been deposed by her father Rajbir Singh as PW2. Even said PW2 has also deposed to the effect that he never visited the house of the respondents so he never had any word with them. Meaning thereby, no as such incidents of domestic violence occurred with the petitioner otherwise he would have certainly visited the house of the respondents during the stay of petitioner with the respondents in shared house hold and separately with respondent No.1 in a rented accommodation. Even otherwise, there is no as such evidence on the case file regarding any incident of domestic violence committed over her by the respondents. On the contrary, perusal of statement of ASI Ranbir in case FIR No.1456/15 u/s 498A, 323 and 506 IPC lodged by the petitioner against the respondent No.1 i.e Ex.R9, transpires that in his investigation proceedings no any instance of demands of dowry emerged out and this further shatters the contentions of the petitioner and rather establishes the specific defence of the respondents regarding the filing of this false petition against them. Besides this, another important aspect which has come on record from the testimonies of both the petitioner Kusum as PW1 and her father Rajbir as PW2 is that the petitioner is a qualified lady with an experience of Asha worker and she can join her services whenever she desires so. Meaning thereby, the petitioner is a competent and a qualified lady as per her own deposition, and when the respondent No.1 is already regularly and religiously paying her maintenance allowance under Section 125 Cr.P.C, then she is certainly not at all entitled to claim any relief under the present petition in which she has miserably failed to establish her case upto the satisfaction of the court. Not only this, perusal of the testimonies of other witnesses examined by the petitioner i.e PW3 Mahabir and PW4 Ram Kumar shows that they being related witnesses have deliberately tried to depose in favour

of petitioner as PW3 Mahabir has specifically deposed that he has given his deposition in favour of petitioner due to his relationship with her and PW4 Ram Kumar has specifically deposed that he is deposing before the court as per the instructions given by petitioner Kusum and her father Rajbir. They have shown their respective ignorances pertaining to the material facts of the case in hand. Meaning thereby, both the above said witnesses are doctored and tutored witnesses and so their testimonies have got no evidentiary value in the eyes of law.

10. Petitioner has levelled a lot of allegations against the respondents with regard to mental as well as physical cruelty upon her for bringing less dowry in her marriage with respondent no. 1 but there is no single piece of evidence from the side of petitioner to corroborate her version. So, when the petitioner has failed to lead any evidence in this regard then this court fails to understand on what basis she has levelled specific allegations of demand of dowry against the respondents which is itself rather shattered in view of the statement of IO ASI Ranbir Singh i.e Ex.R9 as discussed above. Thus, there is not a single piece of evidence on the case file to establish that she was actually maltreated, harassed, tortured or beaten up etc. by the respondents. No sufficient, cogent and convincing evidence has been placed on the case file by the petitioner to show any kind of any alleged domestic violence conducted upon her by the respondents. The petitioner has also alleged that her father had given a lot of dowry articles to the respondents in her marriage and all of the expenses of the delivery of her child were borne by her parents but as discussed above the petitioner has surprisingly failed to place on record even the list of such dowry articles and the bills/receipts etc. of the hospital where child was born. Though, the petitioner has also alleged that she was shunted out from her matrimonial home on dated 19.01.2013 but in her duly sworn testimony as PW1, as discussed above she has deposed that she herself left her matrimonial home. Meaning thereby, she has herself failed to corroborate the stand taken by

her. On the contrary an adverse inference is drawn against her as she has herself admitted that the present petition has been filed by her after the filing of divorce petition by the respondent No.1. Here, it can be said that it is simplicitor a counter blast petition filed by the petitioner against the divorce petition filed by the respondent No.1. The act and conduct of the petitioner is not worth appreciating in view of the depositions made by her as she has herself shown her ignorance regarding the basic facts pertaining to the members of her matrimonial home as discussed above. It is also significant to note here that even if the contention of the petitioner is taken to be true that she was shunted out of her matrimonial home on dated 19.01.2013 (though not proved on record), still this court fails to understand that on what basis she has filed this present petition after a ripe gap of more than two and half years and this delay in filing the present petition further creates huge suspicion regarding the story put forth by her.

11. Needless to say, as per judgment Ex.R1 respondent no.1 is paying maintenance allowance regularly to the petitioner under section 125 (3) of Cr.P.C, but this court is of considered opinion that though, maintenance allowance is paid by respondent no.1 to petitioner under section 125 Cr.P.C., still it does not have any effect with regard to the present petition filed under section 12 of Domestic Violence Act, as in order to be successful in the present petition, it was incumbent upon the petitioner to establish on the case file with cogent and convincing evidence regarding any kind of domestic violence committed upon her by the respondents. Rather it has come on record that post her marriage with the respondent no.1, she was given each and every opportunity and occasion by the respondents to settle down in her matrimonial home but due to her indifferent attitude, she never became comfortable with them. Thus, it can be said that alleged reason given by her i.e. mental as well as physical cruelty committed upon her for bringing less dowry is baseless in the absence of any evidence on the case file.

Thus, in the considered opinion of this court she is certainly not entitled to get any kind of relief sought by her in this very petition filed by her under Section 12 of Domestic Violence Act, 2005. On the other hand, from the testimony of the respondent No.1 as RW1 and the other witnesses examined by him as RW-2, nothing fruitful has emerged out from their respective cross examinations which could be of any help to case of petitioner as the onus to establish her case against the respondents was upon the petitioner and in the considered opinion of the court, she has failed to gain the confidence of the court in her favour. So, final conclusion on the basis of above factors is that there is no incident of any alleged domestic violence committed by respondents upon the petitioner. So, if there is no domestic violence allegedly committed by respondents upon the petitioner then just with an intention to take monetary relief, share in the property of her husband, securing her safety, compensation or damages etc., petitioner cannot be allowed to invoke the provisions of Domestic Violence Act as a tool to put pressure upon the respondents. It is time and again seen that provisions which are made for the protection of women to prevent them from destitution and vagrancies in the hand of her husband or in-laws, are very much misused these days. Even Hon'ble Apex court has taken such a view in recent judgments. It is not the case that women are not subjected to cruelty or domestic violence but when more and more numbers of frivolous complaints or petitions are received in the courts then a view develops that the preventive measures passed by Legislation Acts are now a days being used as weapons to pressurize and terrorize the in-laws. This is not the real motive behind passing these Acts. If such kind of petitions are allowed in a routine manner then the real purpose of law will be defeated. With these observations and reasoning, I do not find any truth and merit in the present petition and therefore, the same is hereby dismissed and the case laws as referred above by the learned

counsel for petitioner are of no help to the case of petitioner being on distinguishable facts and circumstances from the petition in hand.

12. Copy of this order be given to the parties to the application, Protection Officer as well as the SHO of concerned police station. File be consigned to the record room after due compliance.

Pronounced in open court:

(Kapil)
Judicial Magistrate Ist Class,
Panipat. 04.10.2019
(UID No. HR0407)

Note:- All the 16 pages of this order have been duly checked and signed by me.

(Kapil)
Judicial Magistrate Ist Class,
Panipat. 04.10.2019
(UID No. HR0407)

Sonia
Stenographer Gr.-III

Present: Shri S.C.Saini, counsel for petitioner
Shri Kartar Singh and Shri Rahul Kakkar, counsels for respondents

Rebuttal evidence closed. Argument heard. Vide my separate judgment of even date, the petition filed by petitioner fails and the same is hereby dismissed. After needful, file be consigned to the record room.

(Kapil)
Judicial Magistrate Ist Class,
Panipat. 04.10.2019
(UID No. HR0407)

Sonia
Stenographer Gr.-III