

HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 1096 / 2018

Pankaj Sharma and another

----Petitioners

Versus

State of Rajasthan Through Pp

----Respondent

For Petitioner(s) : Mr. Anil Upman

For Respondent(s) : Mr. N.S. Dhakad, Public Prosecutor

HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

/ Order

27/02/2018

Mr. Anil Upman, learned counsel appearing for the petitioners, relies upon Section 41 of the Indian Evidence Act, to contend that the findings given by the Matrimonial Court are binding upon the Criminal Court. Counsel contends that once the Matrimonial Court has given a finding that the complainant-wife is guilty of cruelty towards husband, the same shall absolve the husband of offence punishable under Section 498-A I.P.C.

Issue notice to the respondent.

On the oral prayer made by the petitioner, the complainant-wife is impleaded as party respondent to the present petition.

The amended cause-title be filed in the Registry, during the course of the day.

Upon filing of the amended cause-title, notice be issued to the newly impleaded complainant-respondent, for 21.03.2018.

Meanwhile, the trial Court is directed to adjourn the matter beyond the date fixed in this Court.

(KANWALJIT SINGH AHLUWALIA)J.