

IN THE COURT OF ILLAQA MAGISTRATE, MOHALI S.A.S. NAGAR.

COMPLAINT NO.OF 2026

XXXXXXXXXXXXX ... Applicant/Complainant

Versus

XXXXXXXXXXXXX and Anr ...Respondents

Application under section 23 of the
protection of women from domestic violence
act, 2005 for the grant of interim orders.

RESPECTFULLY SHOWETH;

- 1.That the complainant has filed an application under section 12,17,18,19,20,22 of the protection of women from domestic violence act,2005 (hereinafter called the "Act") contents of which may also be read as part of this application as the same are not being reproduced herein in the interest of brevity and repetition of facts.
- 2.That in the application, complainant has prayed for protection order u/s 18, residence order u/s 19, monetary relief u/s20, compensation order u/s 22 and interim order u/s 23 of the Act.
- 3.That the complainant is seeking immediate relief from the Hon'ble Court in view of the followings;
 - a.Respondent No 1 & 2 are trying to throw Complainant out of the matrimonial house with a motive to obtain divorce in spite of written promise by both of them for not repeating acts of domestic violence on the complainant. The copy of the said compromise statement duly signed by both the respondents and the

complainant, in the presence of police officials is attached as **Annexure C-1**

- b. Respondent No 1 always try to abuse the complainant with forceful and unnatural sex activities with a motive to harass complainant and to throw her out of matrimonial home.
- c. Complainant is feeling unprotected as the respondents have links with high influential officials being son and wife of an I.A.S Officer, who expired in the year ____ and always kept her under threat that she will be deprived off from all the rights of a wife, if she discusses her problems with her parents or any of her relatives.
- d. Respondents are torturing complainant with unreasonable dowry demands or alternatively Respondents are forcibly asking complainant to sign mutual divorce papers and leave matrimonial home. Both the respondents are forcing complainant to remain in a servant room and stopped her from using any of the gadgets lying in the matrimonial home given by the parents of complainant to fulfil repeated demands of the respondents.
- e. Respondents are treating complainant as a maid servant and not allowing her even to see TV, start AC or to use internet for her online office work.
- f. Respondent No 2 has forcibly retained all the stridhan items and does not allow complainant to use any of the ornaments, not even on the occasion of any family function.
- g. Respondent No 1 & 2 packed the whole luggage of the complainant against her wish on 10-04-2026 and forced her to leave the matrimonial home or to face dire consequences. On emergency

complaint at police control room and with the intervention of Police Officials, complainant somehow managed to remain in the matrimonial house no XXXXXXXXXXXX, Mohali but under huge threat and restrictions. Although both the respondents have given written statement in the police station and both of them promised of not harassing or torturing the complainant but thereafter, complainant is being treated like a servant and both the respondents repeatedly force her for doing all sweeping and washing work alone before going to the office work and after coming back home.

4. That the complainant is entitled for interim order u/s.23 of the act.

- i) Pass protection order restraining the respondent from giving threat to the complainant.
- ii) Pass order to protect right of residence for the complainant in her matrimonial house no XXXXXXXXXXXX, Mohali which is on the name of her husband i.e Respondent No 1 and necessary directions to the respondent no 1 & 2 may kindly be given, for not attempting to throw complainant out of said matrimonial home.
- iii) Necessary police protection be also provided to the complainant/ aggrieved person.
- iv) Restraining the respondent from sale, alienate, dispose of the matrimonial house no XXXXXXXXXXXX, Mohali.
- v) That the respondent may kindly be directed to pay Rs. 3,00,000/- to meet out her litigation expenses to fight for justice. AN advocate fee paid and payable quote is attached as Annexure

5. That the complainant had prima facie case and balance of convenience also lies in her favour and there is every likelihood of the complainant to succeed in the accompanying application.

6. That in case ad-interim orders as prayed for are not granted, complainant shall suffer irreparable loss and substantial injury.

It is, therefore, respectfully prayed that the application may kindly be allowed, in the interest of justice and necessary ad-interim orders, as prayed, may kindly be passed.

PLACE: Mohali

DATED:

COMPLAINANT

Counsel for the complainant

Deepak Malhotra & Avish Malhotra (Advocates)

IN THE COURT OF ILLAQA MAGISTRATE, MOHALI S.A.S. NAGAR.

COMPLAINT NO.OF 2026

XXXXXXXXXX Aged about 35 years w/o XXXXXXXXXXXX r/o
XXXXXXXXXXXX, Mohali. Pin 160062. **Applicant/Complainant**

Versus

1. XXXXXXXXXXXXs/o late Sh. XXXXXXXX r/o XXXXXXXXXXXX, Mohali.
Pin 160062 (Husband).

2. XXXXXXXXXXXXXXXX w/o XXXXXXXX (mother-in-law) r/o
XXXXXXXXXXXX, Mohali. Pin 160062 **Respondents**

COMPLAINT U/S 12, 17, 18, 19, 20, 22
OF THE PROTECTION OF WOMEN FROM
DOMESTIC VIOLENCE ACT, 2005 RIGHT
FOR THE RESIDENCE AS PER THE
STANDARDS OF THE RESPONDENT'S
PERSON PROTECTION, MONETARY RELIEF
AND COMPENSATION ON ACCOUNT OF ACTS
COVERED UNDER THE ACT.

RESPECTFULLY SHOWETH;

1. That the complainant has filed application under section 23 of the protection of women from domestic violence act, 2005 (hereinafter called the "Act") contents of which may also be read as part of this application as the same are not being reproduced in the interest of brevity and repetition of facts.
2. That in the application, complainant has prayed for protection order u/s 18, residence order u/s 19, monetary relief u/s 20, compensation order u/s 22 and interim order u/s 23 of the Act.

BRIEF FACTS

1. That the complainant is legally wedded wife of respondent no.1 and is residing in the matrimonial home since her marriage dated _____ along with

respondent no.1 & 2, at house no.XXXXXXXXXX, Mohali.
(Copy of marriage certificate along with residence affidavit of complainant is attached herewith as **Annexure C-2 & C-3**)

2. That the marriage between complainant and respondent no.1 was solemnized on _____ according to Sikh Rites and Ceremonies at Gurudwara _____ and the father of complainant, had spent huge amount on marriage which was out of his reach under the pressure of the respondents.
3. That the father of the complainant gave sufficient amount of dowry to the respondent family and as per the demand of the respondents, gifts were also given to every relative of the respondent's side.
4. That since it was the second marriage for the complainant, so father of the complainant had to abide by all the conditions laid down by the respondents. Surprisingly, few days before the marriage, knowingly well that complainant family is pure vegetarian, respondents suddenly demanded to serve non-vegetarian food in the marriage functions for all their relatives, and demanded LED and refrigerator as gifts for their house and threatened to break the marriage if the complainant family didn't meet the demands of the respondents. Father of the complainant was left with no other option but to incur extra amount on serving of non-veg food and arranging the LED TV and refrigerator as dowry gifts, with a hope that respondent family will take care of the complainant properly, after marriage.
5. That the greed of the respondents was yet not satisfied and they again started demanding money from the complainant just after two months of marriage.

When complainant refused that she didn't have any money then respondents started threatening her to bring the same from her parental home. Even after the requests of the complainant that her father has already spent huge amount on the marriage and she can't ask for more money, the respondents forcefully sent complainant to her parental house and threatened her not to come back without getting money from her parents. That the complainant was left with no other option but to ask money from her father with a hope that things will get better in her matrimonial home.

6. That Respondent no.1 pressurised the complainant again and again to get more money from her parents and on her refusal respondent no.1 told the complainant that she is not living in a PG and respondent no. 1 cannot bear the expenses of the complainant and when she denied, respondent no. 1 gave complainant, beatings and used abusive language for her and threatened the complainant to get more money for him to avoid dire consequences.

7. That respondent no.1 forced the complainant to incur the expenditure of honeymoon trip to Manali, the cost of which was Rs.92,000/- and the same was borne by the complainant vide Gpay dt. _____ and the respondent no.1 didn't spend even a single penny.

8. That the respondent family had assured the complainant family at the time of marriage that Respondent no. 1 is having number of properties on his name and getting huge income in order to assure that the complainant would lead a happy and safe life but even after 2 years of marriage, they did not pay any amount to the complainant to live upto standard of her husband and always force her to do job, to meet out her day to day expenses. Moreover, they have

kept all the gold/silver ornaments, gifts and other valuable items in their custody from the very first day of the marriage by stating that the things are to be kept safely. The list of all the gold/silver ornaments and household things are attached herewith as **annexure C4**.

9. That the respondent no.1 used to abuse the complainant and questions about her character and past marriage. He doesn't even allow the complainant to meet any of her relatives and not even allowed to visit them in case of medical emergencies and even spoke badly about the complainant to all the relatives. Respondent no. 1 used to taunt the complainant for her second marriage and used to say her that the respondent no.1 has done a huge favour by marrying with her.

10. That respondents don't even allow the complainant to talk with her parents and not even let her meet them except when respondents need money from complainant's father. When the father of the complainant requested the family of the respondent to let her visit her parents' home, respondents used to threat that they will not let the complainant enter back in her matrimonial home once she will leave respondent house. The parents of the complainant, out of fear of breakage of marriage, had to accept the respondents' condition.

11. That on realising the fact that the parents of complainant could be dominated easily with such single threat, the respondents started maltreating the complainant. Respondent no.1 used to beat her and abuse her. He used to vent out his anger and frustration on the complainant. Respondent even threatened her of making false complaint in the

police station against her. That the complainant silently tolerated all this for the sake of the reputation of her family.

12. That respondent no.1, along with respondent no.2, used to harass the complainant in different ways. They removed their maid from work and started treating complainant like a maid to cook food, wash utensils, house cleaning, etc. and is not allowed to use the facilities in the house.

13. That the complainant is not allowed to even touch the remote of TV, AC, etc. which was actually gifted by her father at the time of marriage as last minute demand of the respondents. The complainant is restrained to use any of the things and facilities in the house and she is not even allowed to sit anywhere in the house except her bed and if she rebuts, respondents used to threaten her that if she dared to speak in front of them, they will pack her bags and send her to her parents' home or in the servant house.

14. That many times the respondent no.1 and respondent no.2 used to order food from outside for themselves only and complainant was not allowed to have food at that time or was only allowed to eat the stale or leftover food leading to poor health of the complainant.

15. That the respondent no.1 never gave the complainant any rights of being wife of respondent no.1. He didn't even allow her to amend the address on her aadhar card from her parental home to matrimonial home. Respondent no.1 didn't even take her to any social gatherings, family functions, etc. which prima facie shows that the respondent no.1

doesn't want to show his marriage publicly and he feels ashamed of claiming the complainant as his wife.

16. The complainant was tolerating all this in the hope that one day the respondent no.1 will change his mind and will accept her happily as his wife, but that one day didn't come. The respondent is aware of the fact that it is complainant second marriage and for the sake of reputation in society, she will not break the marriage and the respondent is taking the undue advantage of this fact.

17. That even one day when she got late from her office by 15 minutes, the respondent no.1 didn't allow her to enter the house and alleged her of being hanging out with some men and had even packed her belongings in a bag and told her to go back to her parents' house or in a servant room. The complainant cried a lot and begged them to not send her back or in a servant room, then only after 4-5 hours, they allowed her to enter the premises.

18. That in 2019, the complainant got pregnant. She was hoping that this news will change the behaviour of respondents towards her and they start treating her like a family member. But the things went in opposite direction. They used to question about the paternity of the child. They used to harass her and torture her in spite of knowing that she was pregnant. She was made to do all the household work and in case of any mistake they used to beat her and threat her to send her back to her parent's house. They never took care of her during pregnancy and even tortured her mentally by putting different allegations and taunting her. They used to curse her and her child. Respondent no.1 never went to the

hospital with the complainant for check-up and didn't give her money for medicines and tests. The complainant had to depend on her father or friends for expenses of pregnancy which is actually the duty of respondent no.1 being the father of that child.

19. That due to improper care, mental and physical torture and carrying out heavy works, the complainant got miscarriage in September 2019 leaving a great shock on the mind of the complainant. The complainant was not even taken to the hospital at that time, rather she was sent to her parental home in order to save themselves from the allegations and expenses to be incurred in lieu of that.

20. That the complainant was only allowed to go to office and was directed to come back straight to home and was not allowed to move out of the house rest of the day. That due to covid-19, when the offices started their work from home, Respondent used to harass during her office hours and used to interrupt in her work. Recently, he used to harass her by switching off the Wi-Fi in order to interrupt her work and lowering down her image in the office with a motive that she will herself leave the respondent house one day.

21. That the respondent no.1 is very cruel and used to give complainant harsh beatings and whenever she tried to call the police, he used to snatch her phone and threatened her of dire consequences. He plays a role of abettor of entire scenario of atrocities against the complainant. The respondent also threatens the complainant of his high political links and stated that if she tried to contact police or tell anyone else, he will ruin her and her parental family's image and he would never be questioned.

Fearing all this, she was tolerating the whole torture silently.

22. That recently, the respondent, in order to get rid of complainant, has started threatening complainant that he is going to sell or transfer the matrimonial home on the name of his brother, who is having influence in high society and shall throw the complainant out of the matrimonial home within a day.

23. That the respondent no.2 used to taunt the complainant and abet respondent no.1 to leave the complainant and get married to some deserving girl. Respondent no.2 used to portray the complainant as a great mistake and always lowers down her image in the eyes of respondent no.1. Respondent no.2 used to provoke respondent no.1 to throw complainant out of the house and start living separately. She even showed her pictures of some other girls to convince the respondent for another marriage and divorcing the complainant. The respondent no.2 wants to throw out the complainant and provoking the respondent no.1 for the same but the complainant cannot leave the matrimonial home as she has no choice but to continue her matrimonial life in a dignified manner.

24. That the complainant has tolerated a lot of harassment from the respondent family that even her mental and physical health has been affected to a great extent. She has been tortured daily and living her life in threat that she could be harmed anytime as the respondents used to torture her in different manner so that the complainant herself leave the house and they could grab all her property, stridhan and money.

25. That every person has a right to live his life peacefully and with dignity, but the torture by the respondent family is infringing complainant right to live peaceful and dignified life, and that too in great threat to her life.

26. That the complainant is still residing in her matrimonial home in a separate room at Mohali and cause of action also arose at Mohali as such this Hon'ble court has the jurisdiction to try and entertain the present complaint.

27. That the complainant has not filed any such or similar complaint either in this Hon'ble court or any other court of law, therefore, this court has the jurisdiction to hear the present case. However, respondent no 1 has filed a divorce case in Mohali Court.

28. That proper court fee has been affixed.

DOMESTIC VIOLENCE:

The respondent no.1, husband, and respondent No 2 Mother-in-Law are always mentally and physically torturing the complainant for demand of dowry, harassment and threat to life with a motive to throw Complainant out of the matrimonial house no XXXXXX, Mohali.

ORDER REQUIRED:

1) Protection order under section 17/18 of the act:

a) Prohibiting acts of domestic violence by granting an injunction against the respondents from repeating any of the acts mentioned in the above-said petition, and

- b) Prohibiting the respondents from separating or throwing the complainant out of matrimonial home, and
- c) Prohibiting alienation of matrimonial home by respondent no 1 and assets of complainant by the respondent, and
- d) Directing the respondent to stay away from the relatives/ any other persons of the aggrieved person to prohibit violence against them.

2) Residence order under section 19 of the act:

- a) May pass an order restraining the respondent from disposing or throwing the complainant out from the matrimonial house no XXXXXXXXXXXX, Mohali,
- b) An order restraining the respondents from renouncing their rights from the property with a view to deprive the complainant of her due rights.
- c) An order entitling the complainant continued access to her personal households.

3) Monetary relief under section 20:

- a) Loss caused due to destruction, damage or removal of property, i.e. stridhan from the control of the aggrieved person, amount claimed _____ and Rs. 3,00,000/- to meet out litigation expenses.

4) Compensation/damage order under section 22 of this act:

May please order directing the respondent to pay compensation or damages for mental torture and emotional distress caused to her, by domestic violence committed by the respondent, compensation claimed 50,00,000/-

5) Any other order the court may please to pass.

PRAYER:

It is therefore, respectfully prayed:

- I) Pass protection order restraining the respondents from giving threat to the complainant.
- II) To return all the dowry articles including gold ornaments, furniture, valuable things which are lying with the respondents, who are misappropriating the same.
- III) To restrain the respondents from attempting throwing out of matrimonial home/ forcibly trying to evict the complainant from the matrimonial home.
- IV) Necessary police protection be also provided to the complainant/ aggrieved person, immediately.
- V) Any other direction which the Hon'ble court may deem fit in favour of the complainant be passed.

PLACE: MOHALI

DATED:

COMPLAINANT

THROUGH COUNSEL

Deepak Malhotra & Avish Malhotra Advocates