

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

**Crl. Misc. No. M-13794 of 2013  
Date of Decision: 23.02.2015.**

Sheela Devi

.....Petitioner

Vs.

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE SABINA**

Present: Ms. G.K.Mann, Advocate  
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. A.S.Manaise, Advocate  
for the complainant.

.....

**SABINA, J.**

Petitioner has filed this petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.' for short) seeking quashing of Calendera dated 26.3.2013 under Section 182 of the Indian Penal Code, 1860 ('IPC' for short) (Annexure P-2) and all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner has submitted that in pursuance to the complaint moved by the petitioner (Annexure P-1), proceedings under Section 107, 151 Cr.P.C., were initiated against the parties. On the same day, at 8.30 A.M., accused party had abused the petitioner and at 7.00/7.30 P.M., they had inflicted injuries on her person. In this regard, complaint Annexure P-3 was filed by the petitioner against Karam Chand, Raj Rani, Surjit Singh and Manisha @ Meenu. The Trial Court

had ordered the summoning of accused Surjit Singh qua commission of offence punishable under Section 323 IPC. Petitioner had filed a revision petition challenging the order passed by the Trial Court whereby the other accused were not summoned to face the trial and the said petition was pending.

Learned State counsel, who is assisted by the learned counsel for the complainant, on the other hand, has opposed the petition.

In the present case, a perusal of Annexure P-5 reveals that complaint had been moved by the petitioner against Surjit Kumar, Pardeep Kumar and Raj Rani. Admittedly, proceedings under Section 107, 151 Cr.P.C. were initiated against Raj Rani. In these circumstances, initiation of proceedings under Section 182 IPC qua the same occurrence would be nothing but an abuse of process of law. Since proceedings under Section 107, 151 Cr.P.C. had been initiated qua the occurrence in question, the proceedings against the petitioner under Section 182 IPC are liable to be quashed.

Accordingly, this petition is allowed. Calendera dated 26.3.2013 under Section 182 IPC (Annexure P-2) and all the consequential proceedings, arising therefrom, are quashed.

**(SABINA)  
JUDGE**

**February 23, 2015**  
***Gurpreet***