

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2332-2015 (O&M).  
Decided on: January 22, 2015.

Sumedha Gupta

..... Petitioner(s)

Versus

Union Territory Chandigarh and another

..... Respondent(s)

\* \* \*

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI  
PRESENT Ms.G.K.Mann, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL).

Petitioner is sister in law of the complainant. Challan has already been presented.

Through the instant petition, quashing of criminal proceedings has been prayed for, inter alia, on the ground that the petitioner is sister in law married on 5.3.2003 residing separately at Ludhiana. She is working as a Lecturer. There are no specific allegations against her in the FIR. Since challan has already been presented, it will not be appropriate for this Court to enter into the exercise of appreciation of prima facie material forming part of report under Section 173 (2) Cr.P.C. to arrive at a conclusion that the allegations against the petitioner are vague and uncertain or that taken at its face value the allegations and material do not constitute any offence. The said exercise on the basis of the FIR and the report under Section 173 (2) Cr.P.C. can be taken up by the trial Court at the time of framing of charges. It will be open to the said Court to discharge the petitioner in case the allegations against her are vague and uncertain not substantiated by any material. Another reason for not entertaining this petition is the availability of the alternative remedy with the petitioner.

Counsel for the petitioner relies upon **Ramesh Vs.State of Tamil Nadu, (2005) 3 SCC 507, and Geeta Mehrotra and another Vs. State of Uttar Pradesh and another (2012) SCC 10 SCC** in support of her contention that on the basis of bald allegations made against the sister in law by the complainant is suggestive of the anxiety of the informer to rope as many as husband and relatives as possible. The said judgments may be cited by the counsel for the petitioner before the trial Court at the time of framing of charges to seek discharge.

January 22, 2015.  
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(M.M.S. BEDI)  
JUDGE