

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

CRM-M-26334 of 2015

Date of Decision : 10.08.2015

Manila Gupta

..... Petitioner

Vs.

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S.BEDI

Present :- Mr. Parminder Singh, Advocate,
for the petitioner.

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

This petition has been filed under Section 482 Cr.P.C. seeking dual relief, that is, setting aside the order dated 23.07.2015 (Annexure P-3) passed by Judicial Magistrate, Ist Class, Karnal, deferring the adjudication of the complaint under Section 156(3) Cr.P.C. for registration of FIR, in view of the pendency of the application, before the police for registration of FIR and also for a direction to the police officials to consider the representation dated 07.05.2015 (Annexure P-1) for lodging of FIR.

Notice of motion to Advocate General, Haryana.

On asking of the Court, Mr. Charanjit Singh Bakshi, Addl. AG, Haryana, accepts notice on behalf of the State.

I have heard learned counsel for the petitioner and gone through the facts and circumstances of this case. The

petitioner has claimed that she was married to respondent No.4 on 14.02.2013. There are allegations of demand of dowry and cruelty. However, I do not find any infirmity in the order passed by the Judicial Magistrate, Ist Class, Karnal, deferring the adjudication of the complaint on account of a representation pending before Superintendent of Police, Karnal. No ground is made out for issuing any direction to the learned Magistrate at this stage.

I have taken into consideration the submission of learned counsel for the petitioner that the cognizable offence being prima facie made out in the complaint submitted before the Superintendent of Police, Karnal, the complaint deserves to be looked into. Without commenting on merits of the case, I deem it appropriate to dispose of this petition with a direction to the Superintendent of Police, Karnal to fairly and expeditiously consider complaint (Annexure P-1) alleged to have been submitted vide Dairy No.1301 dated 07.05.2015.

This petition is disposed of with a direction to Superintendent of Police, Karnal, to look into the allegations and in case, averments are found to be correct, to proceed in accordance with law, preferably within a period of one month .

Disposed of with the said direction.

10.08.2015
anju rani

(M.M.S.BEDI)
JUDGE