

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

Crl. Misc. No.M-29099 of 2015

Date of Decision: 31.08.2015

Rajan Singla and others

....Petitioners

Versus

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. M.J.S. Bedi, Advocate
for the petitioners.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C for quashing of FIR No.98 dated 28.06.2015 registered under Sections 363, 366, 420 and 120-B IPC at Police Station Nathana, District Bathinda along with all consequential proceedings arising therefrom.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the case, whereas, no offence is made out against them. He further submits that the FIR, in question, was registered on the basis of statement of complainant-Naresh Kumar, wherein, it has been stated that his wife has been kidnapped by the accused person on the pretext of marriage and a sum of ₹ 90,000/- as well as gold ornaments were also taken away by his wife. Learned counsel also submits that respondent No.3 has left her matrimonial home with her own free will and the petitioners have played no role in any manner. Learned counsel further submits that the affidavit of the complainant has been placed on record, which is annexed as Annexure P-2 with the petition, wherein, it has been

mentioned that she has left her matrimonial home with her own free will and without investigation of any of the accused persons.

Admittedly, the investigation has not been completed and nothing can be said that the challan is going to be presented against the petitioners. However, keeping in view the affidavit submitted by wife of the complainant, the investigating agency is directed to consider the same before challan is presented.

However, in case, the wife of the complainant is required to be enquired into just to verify the veracity of the affidavit, the same can be considered by calling her.

The petition is disposed of accordingly.

31.08.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE