

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

CRM-M-9530 of 2011 (O&M)

Date of decision: 1.4.2015

Harmeet Kaur

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. J.J. Kaur, Advocate for the petitioner.
Mr. Shilesh Gupta, Addl. Advocate General, Punjab.
Mr. S.S. Sodhi, Advocate for respondent No.2.

Rajan Gupta, J.

This is a petition under section 482 Cr.P.C. seeking quashing of FIR No.194 dated 4.6.2009, registered against the petitioner under sections 447, 342, 511, 427, 323, 148, 149 IPC at Police Station Tripari Town, District Patiala.

Learned counsel for the petitioner submits that ingredients of Section 447 IPC are not made out. A civil suit was already filed regarding subject matter of dispute. FIR against the petitioner is abuse of process of law. Thus, same deserves to be quashed.

Learned State counsel has opposed the plea. According to him, the issue can be decided only after evidence is led before the trial court.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was registered on the statement of Paramjeet Kaur who stated that on 4.6.2009, she alongwith her mother-in-law and sister-in-law had gone to see the land in question. At that time petitioner alongwith co-accused reached the spot in three vehicles. They were armed with sticks (*Dandas*). They threatened the complainant and stated that they would teach her a lesson. They gave fist blows and slaps to complainant and her relatives. As some persons gathered near the spot, they fled from the spot. The effort was to take forcible possession of the land.

It is evident that only plea raised by the petitioner is that ingredients of section 447 IPC are not made out and allegations are false. I am of the considered view that all the pleas of the petitioner can be considered only after evidence is led before the trial court. No case for interference in inherent jurisdiction of this court is made out.

Dismissed.

(RAJAN GUPTA)
JUDGE

1.4.2015
'Rajpal'