

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

-.-

**CRM-M No.25283 of 2015
Date of Decision: 29.11.2016**

Poonam Kaur

...Petitioner

Vs.

State of Haryana & Ors.

..Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. R.S.Mamli, Advocate, for the petitioner.

Mr. Mahima Yashpal, AAG, Haryana

Ritu Bahri, J. (Oral)

The present petition under Section 482 of the Code of Criminal Procedure has been filed for directing the respondent-State to hand over the investigation to some other independent agency in FIR No. 623, dated 28.11.2013, registered under Sections 376/511/354/379/323/506/34 IPC at Police Station City, Yamuna Nagar.

In response to the notice, State has filed reply by way of affidavit of Deputy Superintendent of Police, Head Quarter, Yamuna Nagar on 15.03.2016, wherein it has been mentioned that after registration of FIR No.528, dated 24.09.2013, complaint was made by the petitioner against Nishan Singh and his brother-in-law, but thereafter a compromise was arrived at between them in the Panchayat and during investigation, it has been found that the petitioner has got registered a false case against respondent Nos. 4 and 5, with intention to grab the property. Later on, the petitioner and her daughter registered a case against Nishan Singh with intention to compromise the matter in FIR No.528, dated 24.08.2013, registered under Sections 420, 506. 120-B. After that, police prepared a cancellation report and submitted it before the Illaqa Magistrate on 03.03.2016. But the petitioner sought adjournment for filing protest petition against the cancellation report and the case was adjourned to 16.04.2016.

Today, another affidavit of Deputy Superintendent of Police, Head Quarter, Yamuna Nagar has been filed by the learned State counsel, stating that repeated dates were sought by the petitioner as per Annexure 3,4 and 5.

Keeping in view the fact that the complainant is not appearing before the Illaqa Magistrate and also the fact that there is no representation on behalf of the petitioner, the petition is dismissed.

November 29, 2016
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(RITU BAHRI)
JUDGE