

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No.M-30582 of 2016 (O&M)
Date of decision : 31.08.2016

Dr. Yasmeeen Kaur

.....Petitioner(s)

Versus

Union Territory of Chandigarh and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Avin Sandhu, Advocate
for the petitioner.

ANITA CHAUDHRY, J.

This is the petition for quashing the order dated 09.12.2015, passed by the Magistrate on the application filed under Section 156(3) Cr.P.C. The petitioner is aggrieved as the Magistrate refused to issue directions to the police to carry out proper investigation in FIR No.260 dated 14.07.2015, registered under Sections 406, 498-A IPC, Police Station Sector 36, Chandigarh.

The counsel for the petitioner relies upon ***Lalita Kumar Vs. Govt. of U.P. & Ors.*** in CWP (Crl.) No.68 of 2008 D.O.D. 12.11.2013 (SC) and ***Sakiri Vs. State of U.P. and others*** in Crl. Appeal No. 1685 of 2007, D.O.D. 07.12.2007 (SC) and urges that allegations had been levelled by the petitioner against the husband and other relatives and the police failed to join the Jeth, Jethani and other relatives named by the petitioner and case

has been recommended only against the husband and the legal opinion

given by the A.D.A. was illegal. The counsel claims that the investigation is biased and urges that they had approached the Magistrate with an application under Section 156(3) Cr.P.C. and the Court had called for the status report but thereafter, did not make any speaking order.

The counsel fairly admits that challan had been presented on 25.05.2016.

The investigation is over, the challan has been presented, the petitioner has a remedy and can avail them. No directions can be given to the police.

The petition is dismissed.

31.08.2016

Sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No