

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-33726 of 2016

Date of decision : 22.09.2016

Surindra Kumari

..... Petitioner

versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Raghav Kapur, Advocate for the petitioner

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of Report No. 47 dated 13.03.2016
Kalandra under Section 182 IPC registered at Police Station, Sangrur.

The few facts are necessary. The petitioner's daughter was married to Jaswinder Pal in 2003. Trouble arose in the marriage but the couple managed to pull on and had children. The allegations were that there were demand of dowry and a complaint was lodged with the police. On 19.08.2014 the police investigated the matter and found the allegations and incidents to be wrong and filed a complaint under Section 182 IPC which has been challenged here on the grounds detailed in para 25 of the petition namely -

(a) The uncle of the husband of the petitioner's daughter was influential.

(b) That a story had been concocted to mislead and misguide the investigation.

(c) The intention was to harass the petitioner and her family.

(d) The report had been filed to compel her to withdraw her petition filed under Protection of women from Domestic Violence Act.

(e) That the petitioner was old and was suffering from various diseases.

Learned counsel for the petitioner had taken me through the report (Annexure P-3) lodged by the petitioner and I find that there is reference to an occurrence said to have taken place at 12.00 p.m. in the month of August 2014. The narration is in para 4 of the petition. The counsel had referred to the MLR (Annexure P-1) placed at page No. 22 which relates to August 2010. The counsel had then referred to Annexure P-2 which is OPD slip which is of April 2014.

The Kalandra is available. The police had found that the allegations made in the complaint were false. It is for the trial Court to examine and record a finding whether there was any truth in the allegations made in the complaint. Considering the principles laid down in *State of Haryana and others Vs. Ch. Bhajan Lal and others, AIR 1992 SC 604*, no case for quashing is made out.

The petition is dismissed.

September 22, 2016

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(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No