

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

**Crl. Misc. No. M-35913 of 2015
Date of decision : 18.11.2016**

Asha Devi

...Petitioner

versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Kanwal Goyal, Advocate
for the petitioner.

Ms. Mahima Yashpa, AAG, Haryana

Mr. Sanjay Mittal, Advocate for respondent Nos. 7 and 8

RITU BAHRI , J. (Oral)

The present petition is for issuance of directions to respondent Nos. 2 and 3 to take action against respondent Nos. 5 to 8 and further prayer is for handing over the investigation of F.I.R No. 311 dated 17.07.2015 under Section 376/506/120-B IPC lodged by the petitioner at P.S. Mahendergarh to Senior Officer.

On notice, a reply by way of affidavit has been filed on behalf of respondent Nos. 1 to 5 stating therein that the statement of the petitioner was recorded on 24.11.2015 (R-1) to the effect that one Parveen committed rape upon her on the pretext that he will get some job for her son-in-law. One more person was with Parveen i.e Pawan who was driving the vehicle and took the petitioner and Parveen near

canal.

Thereafter, the matter was investigated by ASI Neelam and during investigation, the prosecutrix was got medico legally examined and her statement under Section 164 Cr.P.C was recorded. Thereafter, the investigation was conducted by SI Minakshi and thereafter, the verification of the case was conducted by D.S.P Narnaul on 12.10.2015. Thereafter, petitioner gave her affidavit that Pawan and Parveen had not committed rape upon her and did not extend any threat to kill her.

Further, during investigation, rough site plan on the place of incident was prepared and statements of witnesses were recorded. The allegations levelled by the petitioner were found to be false and fabricated. The verification of the facts of the case was conducted by Smt. Tania Singh, DSP Narnaaul. A cancellation report has been prepared on 24.11.2015, which has been sent to respondent No. 3 for submitting the same in the learned Court of Illaqa Magistrate for acceptance (R-2).

In view of the above facts, no further orders are required to be passed in the present petition.

Disposed of.

18.11.2016

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No