

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.M-3223 of 2017 (O&M)

Date of Decision: February 02, 2017

Mishri Devi and others

.....PETITIONER(s).

VERSUS

State of Haryana and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Abhimanyu Kalsy, Advocate
Legal Aid Counsel for the petitioners.

SURINDER GUPTA, J.

This is petition seeking quashing of cross FIR No.280 dated 16.06.2016 registered at Police Station, City Narnaul for offences punishable under Sections 148, 149, 323, 324, 325, 452 and 506 of Indian Penal Code (for short-IPC). Earlier FIR No.272 dated 13.06.2016 was registered at same police station on the statement of petitioner No.6-Manju Devi regarding the same occurrence for the offences punishable under Sections 148, 149, 323, 452, 506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention and Atrocities) Act, 1989.

Specific allegations have been levelled in the cross version case against the petitioners, which call for investigation. As per the statement of the complainant in case bearing FIR No.280 dated 16.06.2016, injuries were caused to him by Jhabar, Satya Parkash and Pardeep.

Learned counsel for the petitioners submits that the challan has not been presented so far and the matter is still under investigation. As there are specific allegations against the petitioners for causing injuries, which is matter of investigation, the request for quashing the FIR cannot be

acceded, at this stage.

Learned counsel for the petitioners submits that private respondents are vagabond persons and there are number of FIRs registered against them, which are listed in Para 2 of the petition.

FIRs mentioned in Para 2 of the petition at Serial No.2 to 5 were admittedly got registered by petitioners and petitioners have threat to their lives and liberty from private respondents. There is no representation made by the petitioners to the police apprehending any danger to their lives and liberty. Cross-case was registered on the statement of respondent No.4, Ravinder Kumar and respondents No.5 to 9 have nothing to do with registration of this case.

Keeping in view the above facts, this petition is disposed of with liberty to the petitioners to move representation before respondent No.2-Commissioner of Police, Mahendergarh, if they face any danger to their lives and liberty. In the event of any representation being made, it will be looked into and appropriate action in accordance with law shall be taken thereon. Plea of petitioners seeking quashing of FIR No.280 dated 16.06.2016 registered at Police Station, City Narnaul is declined

It is, however, made clear that nothing contained in this order shall be construed as granting any immunity to the petitioners in the cross case bearing FIR No.280 dated 16.06.2016 or any other criminal case registered by the police or in any civil or criminal action taken against them in accordance with law.

February 02, 2017

Sachin M.

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No