

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-40930 of 2013
Date of Decision: 09.11.2017

Navdeep Kaur Pooni

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. D.A.G. Punjab.

Mr. B.S. Jaswal, Advocate
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

Learned counsel for the petitioner and learned counsel for respondent no. 2 candidly admit that provisions of Section 420 IPC are not attracted in this case. However, offences made out against petitioner are under Sections 417 and 177 IPC and Section 31 of Representation of People Act, 1951, which are non-cognizable.

Learned State counsel submits that though from the allegations in the FIR provisions of Section 420 IPC are not directly attracted but in case petitioner had used two voter cards issued to her at different addresses, she could cast vote at two places, which would have been an offence under the provisions of Representation of People Act. In this case, there is no allegation that the petitioner had ever exercised her right of vote.

Keeping in view submissions of learned counsel for the petitioner, learned State counsel and learned counsel for respondent no. 2, I find no reason to go into details of facts and circumstances of the case. The

FIR could not be registered in this case as no cognizable offence was made out, hence the instant FIR alongwith all subsequent proceedings therein is quashed leaving parties to avail all other legal remedies available to them under the law.

Disposed of accordingly.

November 09, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***