

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

CRM-M-12336-2016

Decided on: 03.10.2018

Jyoti Batra and another

.... Petitioners

Vs.

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr. Dheeraj Narula, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

None for respondent No.2.

H.S. MADAAN, J (ORAL)

This petition under Section 482 Cr.P.C. for quashing of FIR No.324 dated 02.05.2015 for offences under Sections 406, 498-A, 506 and 120-B of IPC, registered at Police Station City Sirsa, District Sirsa and subsequent proceedings arising therefrom has been filed by petitioners-Jyoti Batra and Samta Miglani. It is stated that both are married sisters of husband of the complainant-Neha.

A perusal of the FIR goes to show that both the petitioners are specifically named in the FIR and the FIR contains allegations of harassment and maltreatment of complainant at hands of the petitioners in connection with demand of dowry.

After registration of FIR, the matter was investigated and on completion of investigation, challan has been filed against the accused including the present petitioners.

Learned State counsel has informed that charge has already been framed against the accused including the present petitioners. Their guilt shall be determined during the trial. The petitioners can take all the pleas mentioned in the petition before the trial Court.

I have heard learned counsel for the parties, besides going through the record.

I do not see any reason to quash the FIR and ancillary proceedings by accepting the petition. The petitioners can be relegated to the remedy of taking all these pleas before the trial Court.

As such, the petition stands dismissed.

However, it is observed that in event of the petitioners filing application for exemption from personal appearance in the trial Court, the trial Court may grant exemption from personal appearance to them on the condition of their counsel giving undertaking to appear in the Court on each and every date of hearing, the petitioners not disputing their identity and they would give undertaking to appear in the Court as and when so specifically directed.

(H.S. MADAAN)
JUDGE

03.10.2018

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No