

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

Crl. Misc. M-18272 of 2018 (O&M)
Date of Decision: July 04, 2018

Jyoti

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunny Namdav, Advocate for
Mr. Saurabh Dalal, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 482 Cr.P.C. seeking directions to the respondents to properly investigate the matter in FIR No.3 dated 12.01.2018, under Sections 328, 354-D, 376, 506 of the Indian Penal Code, registered at Police Station Women, Jhajjar.

Pursuant to the notice of motion issued, a reply by way of affidavit of Bharti Dabas, HPS, DSP City Jhajjar, District Jhajjar has been filed, which is taken on record. In the reply, it is stated that after the registration of the FIR, the matter was thoroughly investigated. The petitioner herein had refused to get herself medico legally examined, even though she had levelled allegations of rape against her elder brother-in-law on 21.11.2017 and did not provide her cell phone, on which she was

receiving the indecent messages. The petitioner was produced before the court of Judicial Magistrate Ist Class, Jhajjar where, her statement under Section 164 Cr.P.C. was recorded. Her statement was divergent from the allegations as set out in the FIR. During the course of investigation, it transpires that the petitioner had visited Hotel Galaxy in the company of the accused and on further investigation, it was revealed by the Manager of the Hotel that the petitioner and the alleged accused stayed in the hotel, after contending to be a couple. The reply further states that the version set out by the petitioner has been found to be totally false and a cancellation report was submitted on 14.02.2018 before the Illaqa Magistrate where, the petitioner appeared and made a statement that she was satisfied with the cancellation report.

In view of the reply filed, no further orders are called for.

Disposed of, as having been rendered infructuous.

July 04, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No