

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

**CRM-M-19480-2014
Decided on: 03.10.2018**

Rajni @ Rajji and others

.... Petitioners

Versus

State of Punjab and another

..... Respondents

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

Present: Mr. Saurabh Singh, Advocate, for
Mr. Pardeep Bajaj, Advocate
for the petitioners.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Paramdeep, Advocate, for
Mr. Gaurav Chopra, Advocate
for respondent No.2.

H.S. MADAAN, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.318 dated 14.11.2013 for offences under Sections 406, 498-A, 506, 323 and 34 of IPC, registered at Police Station Focal Point, District Ludhiana and all consequential proceedings arising therefrom filed by petitioners-Rajni @ Rajji, Sham Lal and Kamlesh Rani. All of them being accused in the FIR in question.

A perusal of the FIR goes to show that petitioner No.1-Rajni @ Rajji is specifically named in the FIR, whereas petitioner No.2 Sham Lal and his wife Kamlesh Rani, though not named as such in the FIR are referred to as maternal uncle and aunt of husband of complainant and their identity is not in dispute. Complainant has raised specific allegations of demand of dowry, her harassment and torture at the hands of such persons in the FIR.

After completion of investigation, they were sent up to face trial and as informed by the State counsel, formal charge has been framed against them and now the trial is going on and one PW has been examined therein. At this stage, it cannot be said that the FIR does not disclose commission of any cognizable offence against the petitioners or allegations against them are baseless or for that matter, the FIR and subsequent proceedings are abuse of process of law. The guilt of the petitioners shall be determined during the trial.

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

I do not see any ground to quash the FIR and ancillary proceedings by accepting the petition. The petitioners can take all these pleas during the trial, which can be then considered by the trial Court.

As such, the petition stands dismissed.

The petitioners are relegated to the remedy of taking all these pleas before the trial Court.

(H.S. MADAAN)
JUDGE

03.10.2018

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No