

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

CRM-M No. 21454 of 2015

DATE OF DECISION :- January 19, 2018

Beena

...Petitioner

Versus

State of Haryana and another

...Respondents

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

Present:- Ms. Aditi Girdhar, Advocate for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Rakesh Sobti, Advocate for respondent no.2.

This petition under Section 482 Cr.P.C. for quashing of F.I.R. No. 560 dated 16.12.2014 under Sections 323/341/506 IPC registered at Police Station Panchkula, District Panchkula has been filed by petitioner Beena against Smt. Bimla Devi arrayed as respondent no.2. Such respondent had lodged F.I.R. in question against the petitioner. The crux of the F.I.R. is that accused Beena was earlier married with Nand Kumar son of Mool Chand resident of Rewari. The petitioner, who is woman of loose temper and a very clever person had blackmailed Nand Kumar and took huge amount from him and then divorced said Nand Kumar. She had contracted the second marriage with son of complainant namely Anil Kumar on 2.2.2006, which was a very simple affair. No dowry was demanded or accepted. The behaviour of accused became very bad and started quarreling

with the complainant and her husband over petty matters. She used to leave the matrimonial home without sufficient cause. Son of complainant had filed a divorce petition, however, it was dismissed. Though appeal against that is admitted in the High Court. Accused is demanding Rs. 5 lacs and half share in the house which is yet to be constructed to divorce the son of complainant. She has filed false F.I.R. No. 26 dated 16.9.2009 under Sections 406 , 498A, 323, 506 IPC with Police Station Sector 14, Panchkula to blackmail the family of complainant. The case has been pending in the Court of JMIC Panchkula.

According to the petitioner, her husband had filed a divorce petition which was dismissed by Additional District Judge, Panchkula and appeal against that order is lying admitted before this Court. Petitioner had filed F.I.R. No. 26 dated 16.2.2009 under Sections 406/498A/323/506 IPC Police Station Sector 14, Panchkula against the complainant, her son Anil Kumar and her husband wherein Anil Kumar had been convicted by the trial Court and the F.I.R. in question is a counter blast to the F.I.R. so lodged by the petitioner just to wreak vengeance upon the petitioner. The allegations do not disclose admission of any offence, therefore, it be quashed.

I have heard learned counsel for the petitioner, learned counsel for the complainant and learned State counsel besides going through the record.

I find that no ground is made out to quash the F.I.R. in question. A perusal of the allegations in the F.I.R. goes to show that they do disclose cognizable offences. Merely due to the reason that civil and criminal litigation has been there between the parties does not go to show

that the allegation in the F.I.R. are false or that the F.I.R. has been lodged as a counter blast or that it is abuse of process of law.

Learned counsel for the petitioner has referred to authority *N. Venkata Rami Reddy versus The Sub-Inspector of Police, Kuppam P.S. 2013(2) Andh LD (Criminal) 367* in support of her contentions that F.I.R. should be quashed but that authority is not applicable due to different facts and circumstances.

Finding no merit in the petition, the same stands dismissed.

(H.S. MADAAN)
JUDGE

January 19, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No