

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

**CRM-M-28723-2018(O&M)
Date of decision:-12.7.2018**

Ishan Bali and others

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present : Mr.Ganesh Chand Sharma, Advocate
for the petitioners.

H.S. MADAAN, J.

This petition under Section 482 Cr.P.C. has been filed by petitioners – Ishan Bali, Anil Kumar Bali and Shashi Bali for quashing of FIR No.709 dated 12.9.2007, under Sections 34, 406, 120-B, 498-A, 506 IPC, registered with Police Station Civil Lines, Hisar and case No.CHI/505/2018 pending before Chief Judicial Magistrate, Hisar and as an alternate remedy praying for staying the proceedings in CHI/505/2018 and for issuing directions to the State and Police Department to conduct a fair and unbiased inquiry in the alleged report dated 27.11.2017 made by misuse and abuse of their power for falsely implicating the innocent petitioners.

I have heard learned counsel for the petitioners besides

going through the record.

The petitioners are specifically named in the FIR in question lodged by complainant Vaishali Bali against her husband – Ishan Bali, father-in-law - Anil Kumar Bali and mother-in-law - Shashi Bali and the criminal acts have been attributed to them. Therefore, it cannot be said that FIR does not disclose commission of any cognizable offence, rather that does disclose offences under Sections 406, 498-A IPC besides 120-B and 506 IPC. After completion of investigation, challan against such accused has been filed in the Court and the case is pending trial. There is nothing on record to show that the FIR is an abuse of process of law, rather it is a case of matrimonial dispute. The guilt of the accused shall be determined during the trial and no case for quashing of the FIR along with its ancillary proceedings including final report under Section 173 Cr.P.C. is made out.

The petition being without merit stands dismissed accordingly.

(H.S.MADAAN)
JUDGE

12.7.2018
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No