

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

**CRM-M-33524-2017  
Date of decision: 21.03.2018**

**Kavita**

**...Petitioner**

**Versus**

**State of Haryana and others**

**...Respondents**

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

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

Mr. P. P. Chahar, DAG, Haryana.

**JAISHREE THAKUR, J. (Oral)**

This petition has been filed under Section 482 of the Code of Criminal Procedure for issuance of directions to respondents No. 1 and 2 to look into the matter properly and take action against said Bablu and the reluctant official respondents.

The allegations levelled in the present petition are that the petitioner was subjected to cruelty and criminal intimidation on account of demand of dowry; had received beatings and that Bablu had committed the offence of rape upon her.

Notice of motion was issued in the petition, pursuant to which, reply by way of affidavit of Mr. Rajiv Deswal, HPS, DSP, Sonapat, on behalf of the respondents has been filed. In the reply, it is submitted that fair investigation has been carried out and during the course of the same, statement of the petitioner was got recorded under Section 164 Cr.P.C. and she was also medically examined on 12.06.2016. During the course of

investigation, allegations levelled against Joginder @ Bablu, Babli and Anju were found to be not true. The petitioner had identified the place where alleged rape was committed upon her by Jagoinder @ Bablu as Shahi Mahal, near Rani Talab, Jind. However, on detailed investigation of call details and location of the mobile phone, it was found that no such occurrence took place on the date as alleged. Furthermore, after deletion of Section 376 IPC, a report under Section 173 Cr.P.C. has been presented and filed in Court on 23.10.2017 against other accused namely Dayanand s/o Jage Ram, Shanti w/o Daya Chand, Hoshiyar s/o Daria and Hukam Chand s/o Shri Ram for commission of offence punishable under Sections 323, 498-A, 506 and 34 of the IPC and the names of Joginder @ Bablu, Babli and Anju have been kept in Column No. 2.

I have heard learned counsel for the parties and have also perused the reply so filed.

In view of the fact that challan has already been presented in Court and the allegations of offence under Section 376 IPC stands deleted, no further orders are called for. Accordingly, the present petition is disposed of leaving it open to the petitioner to challenge the report so filed in accordance with law.

21.03.2018

*Waseem Ansari*

(JAISHREE THAKUR)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*