

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

CRM-M-3453-2018 (O&M)

Date of Decision: 02.08.2018

Vijayendra Gupta and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Gaurav Aggarwal, Advocate
for the petitioner(s).

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

Mr. Kunal Dawar, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 482 Cr.P.C for a prayer to quash proceedings in the FIR No. 187 dated 19.06.2017 (Annexure R-3) registered under Sections 323,34, 406 , 498-A of the Indian Penal Code, registered at Police Station Women, Gurgaon (now Gurugram) qua the petitioners herein.

The petitioners herein contend that they are residing in the United States since 2006 and have nothing to do with the matrimonial life of Vivek Gupta, who is the brother of the Petitioner No. 1 and the husband of complainant/Respondent No. 2.

It is contended that the petitioners are residing and working in

the United States whereas their brother i.e. the husband of the complainant is residing separately approximately 3,000 miles away from them.

Notice of motion has been issued in the said matter and an appearance has been caused on behalf of the complainant as well as a reply has been filed by way of an affidavit of Usha Kundu, HPS, Assistant Commissioner of Police, CAW, East, Gurugram on behalf of respondent No.1 , as per which, the matter was investigated and the statements of witnesses had been recorded and on investigation it has been found that the allegations levelled against the petitioners could not be substantiated and no evidence has come forth against them, as such the petitioners have been found innocent. The only incriminating evidence that had been found, was against Vivek Gupta, husband of the complainant.

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

Petition stands disposed of accordingly, leaving it open to the petitioners to approach the Court, should the need so arise.

August 02, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No