

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38465-2018

Date of Decision:-25.09.2018

Veena Kumari

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rivayat Hayer, Advocate
for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

CRM-33644-2018

In view of the reasons mentioned in the application, the same is allowed and a copy of Notary Register dated 28.02.2012 is taken on record as Annexure P-7 subject to all just exceptions.

Main Case

By way of filing this petition, the petitioner assails order dated 05.04.2017 (Annexure P-5) passed by learned Chief Judicial Magistrate, Ambala whereby a protest petition filed by the petitioner/complainant has been dismissed while cancellation report filed by prosecution has been accepted. The petitioner also assails order dated 06.06.2018 (Annexure P-6) passed by learned Sessions Judge, Ambala whereby the aforesaid order of learned Chief Judicial Magistrate has been upheld in revision.

I have heard learned counsel for the petitioner. A perusal of impugned order passed by learned Chief Judicial Magistrate, Ambala reveals

that the petitioner had herself been facing criminal trial earlier wherein allegations had been levelled against her to the effect that she had received an amount of ₹11.50 lakhs on the pretext of sending complainant's son namely Gurpreet Singh to U.S.A. However, the present petitioner was ultimately acquitted in the said case since neither the complainant nor the witnesses supported the case.

After getting acquitted, the petitioner moved an application under Section 156(3) Cr.P.C. for proceeding against Manpreet Kaur, Gurpreet Singh and Satbir Singh alleging therein that by forging a compromise-deed, they had extorted an amount of ₹11,50,000/- from her relatives while she was in custody. Although FIR was registered initially on the basis of said application but upon investigation, a cancellation report was filed by police. The learned Chief Judicial Magistrate, Ambala in its order dated 05.04.2017 has observed that apparently the matter had been compromised amongst the parties leading to acquittal of the petitioner in earlier case. Consequently the learned Chief Judicial Magistrate, Ambala accepted the cancellation report. The learned Sessions Judge, Ambala has also upheld the said order.

Having perused both the aforesaid orders, I do not find any infirmity in the same. There is no merit in this petition and the same is hereby dismissed.

(GURVINDER SINGH GILL)
JUDGE

25.09.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No