

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
117**

CRM-M-5598-2018

Date of decision: 09.02.2018

Neha

....PETITIONER

V/S

State of Haryana and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sanjeev Gupta, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the order passed by the Additional Chief Judicial Magistrate, Panchkula, whereby instead of sending the matter to the Station House Officer, Police Station for enquiry, the complainant has been called upon to lead her preliminary evidence.

It is the contention of the learned counsel for the petitioner that in case a cognizable offence is disclosed by mere reading of the complaint, the police authorities are mandated to register an FIR as per the judgment of the Hon'ble Supreme Court in Lalita Kumari vs. Govt. of U.P., 2014 (1) SCC (Criminal) 524. He, therefore, contends that the order passed by the learned Additional Chief Judicial Magistrate, Panchkula, cannot sustain and deserves to be set aside.

I have perused the complaint, copy whereof has been appended as Annexure P-1, and also perused the impugned order. I do not find any illegality in the same as a perusal of the complaint would indicate that the

details about the offence having been committed are not forthcoming. The order, which has been passed by the learned Additional Chief Judicial Magistrate, Panchkula, is the right approach and, therefore, no interference is called for at this stage.

The present petition stands dismissed.

09th February, 2018
pi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No