

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

Crl. Misc. M-56249-2018(O&M)

Date of Decision: December 15, 2018

Pushpinder Kaur

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ramesh Kumar Bamal, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed under Section 482 of Cr.P.C. for setting aside the order dated 17.02.2018 (Annexure P/3) and all subsequent proceedings and direction/order to official respondents No.1 to 3 for registration of FIR (as per Annexure P/1) against private respondents No.4 to 9 under Sections 406, 498-A, 506, 120-B, 34 of the IPC or in the alternative seeking direction to the Illaqa Magistrate to decide the complaint No.2143 of 2018 (Annexure P/2) filed u/s 156(3) of Cr.P.C. expeditiously.

A briefly put application under Section 156(3) of Cr.P.C. to the SHO, Police Station Sector 14 Panchkula for registration of FIR against the accused under Section 406, 498-A, 506, 120-B and 34 of IPC was filed before the Illaqa Magistrate, Panchkula Haryana, who by taking note of the fact that it is a compliant under Section 498-A referred the matter to the Family Welfare committee concerned which is constituted in light of the

the judgment rendered in “***Rajesh Sharma vs. State of UP***”. Since the matter was pending before the Family Welfare Committee, the JMIC Panchkula kept adjourning the matter to await the report of the Family Welfare Committee. Several reminders were also sent asking for the status of the report to the Family Welfare Committee. As no report has been received so far and since the Family Welfare Committee which had been constituted stands discontinued and in view of the fact that the matter is pending before the JMIC, Panchkula, Haryana, this petition is being disposed of in limini without issuing notice to the respondents, with a limited direction to the JMIC Panchkula to proceed in accordance with law without awaiting the report since the Family Welfare Committee is dispensed.

December 15, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No