

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

Criminal Misc. No.M-3873 of 2019(O&M)

Date of Decision: December 04, 2019

Nirmala Devi @ Bholi

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Mrigank Sharma, Advocate for
Ms.P.K.Sekhon, Advocate
for the petitioner.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 482 Cr.P.C for quashing of case FIR No.0041 dated 31.07.2018 under Sections 353, 186, 506 IPC, registered at Police Station Division No.1, District Pathankot.

The FIR was registered on the statement of Lady Constable Manisha, posted at Women Cell (Rural), Pathankot. She stated that while she was on duty in her office, where ASI Jasbir Singh, PHC Gulshan Kumar and L/C Surjeet Rani were also doing their official work, then Nirmala Devi @ Bholi – petitioner came and asked the complainant as to why she had forwarded the complaint of daughter of the petitioner to the Family Committee. She also asked as to why the complainant herself did not take action on the said complaint. She also started beating the table and her belly forcefully and threatened the complainant to teach a lesson. When the complainant and L/C Surjeet Rani stopped her from doing this, she snatched

the Register from the complainant and threw it on the ground, and started

abusing the complainant. She did not mend her ways despite requests and lifted her shirt from belly. Upon this, the officials felt shy and went out of the room. She proclaimed that she was disciple of Goddess and with her power she will kill the complainant. She whispered some words and ran away by pushing the complainant.

The contention of the learned counsel for the petitioner is that the FIR is wholly false. It has been registered because the petitioner had got implicated ASI Raj Kumar for an offence under Section 7 and 13(2) of the Prevention of Corruption Act, wherein, he was convicted. It is the further contention of the learned counsel that even as per the contents of the FIR no offence is made out against the petitioner.

In the order dated 06.05.2019, it has been recorded that the investigation was completed and challan presented and the matter was fixed for consideration of charge before the learned Trial Judge. The petitioner has not annexed a copy of the report under Section 173 CrPC. It is also not clear as to whether charges have been framed against the petitioner.

In view thereof, this petition is disposed of with liberty to the petitioner to take appropriate proceedings in the event charges are framed against her.

December 04, 2019

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No