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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-4949-2019 IN/AND

CRM-M-22272-2018

Date of decision: 15.11.2019

SABINA

... Petitioner

versus

STATE OF HARYANA AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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Present: Mr. Jagjit Singh Gill, Advocate,  
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Ms. Kamalpreet, Advocate,  
for respondents No.5 and 6.

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HARI PAL VERMA, J.(Oral)

CRM-4949-2019

Prayer in this application filed under Section 482 Cr.P.C. is to place on record the reply alongwith Annexures R-1 to R-3.

For the reasons stated in the application, same is allowed and the reply to the petition filed on behalf of respondent Nos.5 and 6, along with documents Annexures R-1 to R-3, is taken on record.

CRM-M-22272-2018

Prayer in this petition filed under Section 482 Cr.P.C. is for direction to respondents No.1 to 4 to take action against respondents No.5 and 6 in FIR no.0010 dated 13.04.2018 registered under Section 376(2)(f) of IPC with Women Police Station Sirsa, District Sirsa.

Learned State counsel, while making reference to the status report submitted by Sadhu Ram, HPS, Deputy Superintendent of Police, Ellenabad, District Sirsa and on instructions from ASI Randhir Singh, submits that in the aforesaid FIR, police has already investigated the matter and has submitted cancellation report on 22.05.2019. Para 2 of the status report which is relevant for consideration reads as under:-

*“That a deep, fair and impartial investigation has been conducted in this case. Statements of persons of both the parties were recorded. The call details of the mobile number of complainant Sabina and accused Surender were also obtained. Statement of complainant under Section 164 Cr.P.C. was also got recorded. A complaint was also moved by mother of Surender against the complainant. As per the call details there had never been any talks between Sabina and Surender. Several respected persons of both the villages also filed their respective affidavits. During investigation it came to light that on the night of alleged occurrence i.e. 09.12.2017 accused Surender remained present for the whole night at the house of his uncle Raja Ram and had been assisting the sweet maker Prithi Ram alongwith other persons, namely, Bhani Ram son of Mukh Ram and Bhagwan Dass son of Chamba Ram in the matter of preparation of sweets. On that night Surender Kumar did not go to his own house or to the house of Sabina. It was found that complainant Sabina has lodged the false case with the intension to put pressure on the accused to perform marriage with Surender Kumar. The facts of the case were also verified by an IPS Officer of the rank of Assistant Superintendent of Police, Sirsa and the allegations leveled against the accused were not proved. Under such circumstances a cancellation report has been written in this case which was dispatched on 18.05.2018 to the competent authority for approval. The same has been*

*approved by the office of Deputy Superintendent of Police, Ellenabad and now the same is pending consideration in the office of Superintendent of Police, Sirsa. After approval by the Superintendent of Police, the cancellation report will be sent to the court of learned Area Magistrate.”*

In view of the status report so submitted, this Court finds that the present petition no more survives and dismissed as such.

However, the petitioner may avail the remedy, if any, in accordance with law.

**(HARI PAL VERMA)**  
**JUDGE**

15.11.2019  
sanjeev

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| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |