

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

CRM-M-25749 of 2019.

Decided on:- May 31, 2019.

Gurjant Singh and others

.....Petitioners.

Versus

State of Haryana and another

.....Respondents.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Ghulam Nabi Malik, Advocate
 for the petitioners.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.78 dated 20.02.2019 under Sections 376, 377, 428 and 511 IPC registered at Police Station Pehowa, District Kurukshetra (Annexure P-1) along with all the proceedings arising therefrom.

Learned counsel for the petitioners states that petitioner No.1 Gurjant Singh, who is husband of respondent No.2 Rajwant Kaur was working in Indian Army. As there were extra-marital relations between respondent No.2 and one Vijay Kumar, who is working as Inspector in Punjab Police, respondent No.2 has succeeded in getting the present FIR registered against the petitioner No.1, his brother and petitioner No.3 Kamal. Said Vijay Kumar and respondent No.2 had taken money from Kamal on the pretext of sending him abroad, but they have not repaid that amount and, rather, falsely implicated the petitioners in this case.

He further states that in order to have fair investigation/transfer of investigation in the aforesaid FIR, the petitioner has also made a representation dated 08.04.2019 (Annexure P-9) to the Superintendent of Police, Kurukshetra and at this stage, the petitioner would be satisfied if the Superintendent of Police, Kurukshetra is directed to consider that representation.

Notice of motion to respondent No.1-State only at this stage.

On asking of this Court, Ms. Priyanka Sadar, Assistant Advocate General, Haryana accepts notice on behalf of respondent No.1-State.

Let requisite number of copies of paper book be given to learned State counsel during the course of the day.

Heard.

Lest it may prejudice the interest of the parties, without observing anything on the merits of the case, the present petition is disposed of with a direction to the Superintendent of Police, Kurukshetra to look into the contents of representation (Annexures P-9) and to act in accordance with law.

May 31, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No