

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-33865-2019 (O&M)
Date of Decision:- 21.8.2019

Lakhan alias Lakhan Lal and others ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gaurav Aggarwal, Advocate, for the petitioners.

GURVINDER SINGH GILL, J. (Oral)

The petitioners have approached this Court seeking quashing of FIR No.30, dated 1.6.2019, registered at Women Police Station, Hisar, under Sections 313, 323, 34, 406, 498-A, 506 IPC.

The FIR was lodged at the instance of Meenakshi, wherein it has been alleged that she was married to Kunal on 23.11.2017 and that her parents had given huge number of articles as dowry and that an amount of ₹20 lacs was spent on marriage. It is alleged that the accused including the petitioners, however, used to harass the complainant in order to press upon their demand of dowry. It is further alleged that the complainant got pregnant and as per Ultrasound report dated 8.4.2018 (Annexure P-1) she was having 2½ months pregnancy but the accused pressurized to get the pregnancy terminated. It is alleged that on 12.4.2018 the complainant's husband, mother-in-law, father-in-law and sister-in-law started beating her, as a result of which the pregnancy was aborted.

Learned counsel for the petitioners has submitted that a false FIR has been lodged and the falsity of the FIR would be evident from the fact that although the complainant alleges that the accused had given beatings to her on 12.4.2018 resulting in abortion of pregnancy, whereas the Ultrasound report and prescription (Annexures P-1) shows that the fetal cardiac activity was absent even prior thereto i.e. on 8.4.2018. It has further been submitted that the medical prescription (Annexure P-2) would reveal that the complainant was taking medicines for cleansing of her body in respect of pregnancy. It has also been submitted that the falsity of the FIR especially as regards petitioner No.3 would be evident from the fact that petitioner No.3 had herself delivered a baby about one month prior to the occurrence and as such, she would not have possibly in a position to participate in the occurrence, as alleged.

Having heard the learned counsel for the petitioners, the petition is disposed of with a direction to the Investigating Officer to thoroughly investigate the aforesaid aspects of the matter and to verify the genuineness of the aforesaid Ultrasounds/Reports before filing any report under Section 173 Cr.P.C.

A copy of this order be provided to the learned counsel for the petitioner under the signatures of Bench Secretary of this Court.

August 21, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No