

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

CRM-M-44649-2019 (O&M)
Date of Decision:-19.10.2019

Gurdeep Singh and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Arveen Kaur Sekhon, Advocate for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.01 dated 6.1.2014 registered at Police Station Phase-8, SAS Nagar, Mohali under Sections 376, 506, 214 and 201 of Indian Penal Code mainly on the ground that a false FIR has been lodged and that the prosecutrix was forced to get the false FIR lodged by Yasmeen Kaur, who was inimical towards the petitioners.
2. The learned counsel, in order to hammer forth her aforesaid submission, has drawn the attention of this Court to an affidavit furnished by the prosecutrix in the Court of learned Judicial Magistrate, Latehar, Jharkhand, wherein in Para-14 she has categorically deposed to the following effect:-

“14. That when the applicant showed her will to leave the house of Mrs. Neeraj Arora, Neeraj Arora and her daughter Yasmeen Kaur said that they wanted to destroy Gaganpreet Singh & Gurdeep Singh,

husband and father-in-law of respondent No.1 and only if the applicant files a case against them, she will be allowed to go back to her home.”

3. The learned counsel has further submitted that upon investigation even the police has formed an opinion that a false case has been registered and is contemplating to file a cancellation report.
4. Having heard the learned counsel for the petitioners, the petition is disposed of with a direction to the Senior Superintendent of Police, Mohali (Punjab) to look into the matter and to ensure that the matter pertaining to the aforesaid FIR i.e. FIR No.01 dated 6.1.2014 is got investigated fairly and expeditiously, so that a final report under Section 173 Cr.P.C. is filed thereupon at the earliest. It is further directed that while filing the report under Section 173 Cr.P.C., the investigating officer shall look into the matter pertaining to the furnishing of affidavit by the complainant in the Court of learned Judicial Magistrate, Latehar, Jharkhand, which suggests that the FIR may have been lodged falsely.

19.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No