

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl. Misc. No. M-39624 of 2015 (O&M)
Date of Decision: September 24, 2019.

Amandeep Kaur @ Amarjit Kaur and another

.....PETITIONERS

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioners.

Mr. Amitoj Singh Dhaliwal, D.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

Heard.

While disposing of the trial in case bearing FIR No. 60 dated 21.06.2012 registered at Police Station Nihal Singh Wala for the offence punishable under Section 302 read with Section 34 of Indian Penal Code, learned Sessions Judge, Moga in para 14 of its judgment has observed as follows:-

14. It is apparent from the above discussion that PW2 Amandeep Kaur and PW3 Jaspreet Kaur resiled from their earlier statements given to the police with a view to help accused Balbir Singh and Gurjant Singh from conviction and legal punishment. Both these witnesses have tried to subvert the process of justice delivery system. As such separate show cause notice is being issued to PW2 Amandeep Kaur and PW3 Jaspreet Kaur to explain as to why complaint be not lodged

against them for committing the offence of perjury.”

On 13.10.2014 both Amandeep Kaur @ Amarjit Kaur and Jaspreet Kaur @ Goggi appeared before the Court and were served with notices calling upon them to explain as to why the proceedings of perjury under Section 193 IPC be not initiated against them.

The petitioners filed the present petition challenging the notices served on them. It has been brought to my notice during the course of arguments that as per judgment dated 03.06.2014 (Annexure P-2) no complaint has been ordered to be filed against the petitioners so far. Notice under challenge were issued to petitioners to provide them an opportunity to show cause as to why further proceedings be not initiated against them as per observations in judgment dated 03.06.2014. The petitioners have not challenged any order passed thereafter by learned Sessions Judge, Moga, as such, this petition is premature and dismissed.

(SURINDER GUPTA)
JUDGE

September 24, 2019
Jyoti-II

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***