

CRM-M-24167-2020

**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-24167-2020

Date of decision: 25.09.2020

Jyoti

.....Petitioner

V/s.

State of Punjab and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Satish Sabharwal, Advocate, for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior DAG, Punjab.

Sanjay Kumar, J.

By way of this petition filed under Section 482 Cr.P.C, the petitioner-wife seeks registration of a FIR under Sections 406, 498-A and 120-B IPC against her husband, the 4threspondent, and her mother-in-law and sister-in-law, the 5thand 6threspondents.

The Deputy Superintendent of Police, P.B.I. Crime against Women and Children, Patiala, filed a reply in this case. Therein, she stated that the allegations levelled by the petitioner-wife against her husband and her in-laws were found to be not correct, both in relation to dowry harassment as well as the pregnancy test. She further stated that a report had been

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submitted to the Senior Superintendent of Police, Patiala, on 16.09.2020 recording that no action was required by the police upon this complaint.

Mr. Gaurav Garg Dhuriwala, learned Senior Deputy Advocate General, Punjab, would inform this Court, upon instructions from ASI Rajiv Sharma, that the complaint has already been filed. In terms of Section 157 (2) Cr.P.C, the officer-in-charge of a police station is duty bound to notify to the informant, if any, that he would not investigate the case or cause it to be investigated, if it appears to him that there is no sufficient ground for entering on an investigation. Therefore, the jurisdictional Station House Officer would be under a statutory duty to comply with the aforestated requirement and inform the petitioner-wife. The learned Senior Deputy Advocate General, Punjab, would assure this Court that the needful in this regard would be done shortly.

Thereupon, the petitioner-wife would be at liberty to take recourse to the statutory remedies provided to her under the Code of Criminal Procedure, 1973.

The petition is disposed of with the above observations.

(SANJAY KUMAR)
JUDGE

25.09.2020

rakesh

whether speaking/non speaking	:	Yes/no
<i>whether reportable/non reportable</i>	:	<i>Yes/no</i>