

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8811-2021

Date of Decision: 01.04.2021

Ved Parkash Bansal

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Vishal Sodhi, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Dhruv Gupta, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conferencing.

On 25.02.2021, the following order had been passed:-

“Case heard by video conferencing.

By this petition, the petitioner seeks quashing of FIR no.403 dated 07.09.2020, registered at Police Station Mahesh Nagar, Ambala, for the alleged commission of offences punishable under the provisions of Sections 323/406/498-A/34 of the IPC, as also all other subsequent proceedings arising therefrom.

Learned counsel for the petitioner submits that the petitioner is the maternal uncle of the husband of the complainant, though he is the biological father, with him having given his natural born son in adoption to his sister.

He further submits that the complainant and her husband resided for about 11 months immediately after the marriage at Madurai (Tamil Nadu), with the petitioner residing in Sri Ganganagar (Rajasthan), and therefore the question of him harassing her would not arise.

Notice of motion.

Mr. Surender Singh, AAG, Haryana, accepts notice at the asking of the court on behalf of the

respondent State.

A copy of the petition be e-mailed to him today itself by learned counsel for the petitioner.

In the aforesaid circumstances, in the meanwhile, in view of the fact that the petitioner is stated to be a resident of Sri Ganganagar whereas the harassment allegedly took place at Madurai, and the petitioner is 71 years old, no coercive action be taken against him till the next date of hearing before this court.

Adjourned to 31.03.2021.

A gazetted officer is directed to file a reply to the petition before the next date of hearing, failing which the SSP, Ambala, would need to be summoned to court.”

Today learned counsel for the State submits that as per his instructions from ASI Satish Kumar, in fact the petitioner has not been arraigned as an accused in the report submitted under Section 173(2) of the Cr.P.C., with only the husband of the complainant having been so arraigned.

Mr. Sodhi submits that in fact he has received a reply to the petition by way of an affidavit of Shri Ram Kumar, DSP, Ambala Cantt. stating to the same effect.

Though the said reply is not on record, however since Mr. Sodhi, learned counsel for the petitioner, submits that this petition has been rendered infructuous in terms thereof, it is disposed of as such.

It is to be noticed that though the complainant in the FIR has not been impleaded as a respondent in the petition, Mr. Dhruv Gupta, Advocate, appears for her.

(AMOL RATTAN SINGH)
JUDGE

01.04.2021
adhikari

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No