

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

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**CRM-M-10049-2021(O&M)
Decided on :09.07.2021**

PUSHPENDER BALHARA

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Anshumaan Dalal, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., for quashing of the impugned order dated 04.09.2019 (Annexure P-3) passed by Chief Judicial Magistrate, Rohtak, whereby charge under Sections 354-B, 323 and 506 of the IPC was framed against the petitioner in FIR No.624 dated 31.12.2018, under Sections 323, 354-B and 506 IPC (Section 452 IPC deleted later on) registered at Police Station Urban Estate, Rohtak District Rohtak.

Learned counsel contends that a false and fabricated case has been planted upon him by the complainant, who happens to be his sister-in-law. He further contends that the complainant lodged the FIR in question with an ulterior motive to harass and humiliate her husband's family as there was a matrimonial dispute and divorce proceedings were pending between her and the petitioner's brother. It has been thus submitted that the Court below while passing the impugned order erred in not appreciating this fact and went ahead by framing charges under Sections 354-B, 323 and 506 of the IPC against the petitioner.

Heard and perused the impugned order along with the material

on record.

The impugned order comes across as a well reasoned one which does not warrant any interference of this Court. Needless to add, the authenticity and truthfulness of the prosecution version shall be put to test during trial when the petitioner will get ample opportunity to test the testimony of the prosecution witnesses on the touchstone of cross-examination.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

July 09, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>