

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21780 of 2021 (O&M)

Date of decision : 2.7.2021

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Ranjit Kaur

.....Petitioner

vs.

State of Punjab and another

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Hitesh Ghai, Advocate
for the petitioner.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner – Ranjit Kaur w/o Prithi Singh, aged about 65 years, resident of village Maholi Khurd, Tehsil Ahmedgarh, District Sangrur, an accused in FIR No. 45 dated 10.5.2019, for offences under Sections 406, 420, 120-B IPC, registered at police Station Sadar Raikot, District Ludhiana Rural, has brought the instant petition under Section 482 Cr.P.C., craving for quashing of FIR, besides challan/charge sheet and other consequential proceedings, arising therefrom.

After hearing learned counsel for the petitioner and going through the record, I find that the petition is bound to fail.

A perusal of the FIR in question, goes to show that petitioner

Ranjit Kaur is specifically named as an accused therein alongwith Mohinder Pal Singh and Harkinder Singh and further criminal acts have been attributed to them, which come within the mischief of criminal offences. There is nothing on record to show that the FIR is an abuse of process of law. On completion of investigation, the accused have been challaned. The allegation in the FIR cannot be stated to be groundless or without any basis.

The petitioner can raise all the pleas before the trial Court at the time of framing of charge and if the trial Court does not agree with the petitioner-accused, she has got remedy of filing revision against the order framing charge.

Filing of challan against the accused, goes to point out that after registration of the FIR, on the matter being investigated, sufficient material was found to show that petitioner-accused had committed cognizable offences for which she alongwith her co-accused has been sent up to face trial. The guilt of the petitioner shall be determined during the trial. If after trial, she is found to be guilty, she would be convicted, however, if the prosecution fails to prove its charge against the accused beyond a shadow of reasonable doubt, she may earn acquittal.

However, no case is there to allow the present petition. Accordingly, the same stands dismissed.

2.7.2021
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No