

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

CRWP-8619-2021

Date of Decision:21.09.2021

Kulbir Kaur

.....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Harmanjit Singh Jugait, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conference.

By this petition, the petitioner seeks protection of her life and liberty at the hands of respondents no.4 and 5.

She further seeks issuance of a direction for registration of an FIR 'against' the aforesaid respondents for misleading the court of the learned Civil Judge (Jr.Divn.), Mohali, by submitting false and fabricated documents before that court (as alleged).

On 10.09.2021, the following order had been passed by this court:-

“Case heard by video conferencing.

Learned counsel for the petitioner would address arguments as to the remedy on the commission of an offence for presenting false evidence before the Court (as is alleged); and thereafter make any contention with regard to any offence prima facie made out, as is cognizable by the police, or not.

Adjourned to 17.09.2021.”

Today, learned counsel for the petitioner submits that he has looked up the law(as was obviously intended by this court for him to see),and

that offences punishable under Sections 191 and 192 of the IPC would be made out against respondents no.4 and 5, for having submitted 'false evidence' before the learned Civil Judge (Junior Division), Mohali.

Naturally, if that is so, the remedy with the petitioner is under the provisions of Section 195 of the Cr.P.C., with learned counsel for the petitioner submitting that he would also have a remedy under the provisions of Section 340 thereof.

Without making any comment on the contentions, of whether or not any false evidence was submitted before that court, which naturally would be something which the petitioner would have to prove before that court in appropriate proceedings, and for that court to thereafter take an appropriate decision thereupon, he is permitted to withdraw this petition as has been submitted by him, with liberty to file appropriate proceedings before that court.

Upon any such proceedings initiated by him, that court would consider the matter wholly on its own merits and would pass an appropriate order thereupon, as expeditiously as possible.

September 21, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO