

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

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**CRM-M-37232-2021
Decided on : 09.09.2021**

Gurbax Kaur and another

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Ms. Avinash Mandla, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

Through the instant petition filed under Section 482 CrPC, the petitioners are quashing of FIR No.43, dated 15.05.2021 (Annexure P-1), registered under Sections 498-A, 406 of IPC, lodged at Police Station Behram, District SBS Nagar, and all the subsequent proceedings arising therefrom.

Learned counsel *inter alia* contends that it is a case of false implication and all the allegations levelled in the FIR against the petitioners who are old age persons and parents-in-law of respondent No.2 (complainant) are totally false and fabricated. She further submits that the FIR in question is a result of a matrimonial dispute between respondent No.2 and her husband. Still further submits that there was no occasion for the petitioners to interfere in the matrimonial life of their son and respondent No.2 (complainant) and only because their son had filed a petition 9 of the Hindu Marriage Act, 1955, before the Family Court at Nawanshahar, for restitution of conjugal rights, the petitioners were being put to harassment and humiliation.

Heard.

The inherent power vested in this Court under Section 482 CrP.C., undoubtedly is wide, however, these powers have to be exercised with a great deal of circumspection. The truthfulness or otherwise of the allegations levelled in the FIR in question would be considered and appreciated by the trial Court when the evidence is adduced by both the parties. Moreover, this Court cannot ignore that fact that the investigation in the instant case, which has been registered at the instance of respondent No.2 (complainant), is still underway and as admitted by the learned counsel even challan has not been presented so far. In the circumstances, this Court would loathe to quash the FIR at this stage.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

September 09, 2021

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No