

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

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**CRM-M-42526-2021
Decided on : 11.10.2021**

Harsh Sharma

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. D.P.S. Bajwa, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C., seeking quashing of FIR No. 100, dated 16.07.2019 (Annexure P-4), lodged under Sections 406, 498-A of IPC and Sections 3 & 4 of the Dowry Prohibition Act, 1961 (for brevity 'the D.P. Act'), registered at Police Station Khuian Sarwar (Fazilka), registered on the complaint of respondent No.2, Final Report under Section 173(2) Cr.P.C. (Annexure P-7) and all the subsequent proceedings arising therefrom.

The inherent powers vested in the Court under Section 482 Cr.P.C. have to be exercised with a great deal of circumspection.

A perusal of the allegations levelled in the FIR in question (Annexure P-4) against the petitioner, who is husband of the complainant i.e. respondent No.2, does *prima facie* disclose the commission of offences under Section 406, 498-A of IPC and Sections 3, 4 of the D.P. Act.

The submissions made by the learned counsel that the allegations of physical and mental harassment levelled by respondent No.2

i.e. complainant were untrue and fabricated, would be put to test during trial when the evidence is adduced by both the parties.

The final report under Section 173(2) Cr.P.C. already stands presented before the trial Court. It would, therefore, not be proper for this Court to invoke its inherent jurisdiction under Section 482 Cr.P.C. and quash the FIR in question.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

October 11, 2021

J.Ram

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