

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(125)

CRM-M-10415-2022
Date of Decision: 28.07.2022

ASI Bohar Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. S.P.S. Sidhu, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

Present petition has been filed under 482 Cr.P.C praying for quashing of FIR No.65 dated 1.5.2021 registered under section 366 IPC at Police Station, Kot Bhai, District Sri Muktsar Sahib along with all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner contends that both petitioner and respondent no.2 are of the age of majority and no offence under section 366 IPC, as alleged, is made out. He submits that statement of respondent no.2 was also recorded under Section 164 Cr.P.C, wherein she has categorically absolved the petitioner of any wrong act committed against her. He submits that in the overwhelming facts and circumstances of the present case, prosecution of the petitioner is nothing but an abuse of the process of law.

Notice of motion.

On the asking of the Court, Ms. Sakshi Bakshi, A.A.G., Punjab accepts notice on behalf of respondent no.1-State.

Learned State counsel submits that matter is still under investigation as the report under section 173 Cr.P.C is not yet filed.

Learned counsel for the petitioner submits that directions be issued to the investigating agency for concluding the investigation.

I find the prayer to be just and reasonable.

In view of the above position, present petition is disposed of with a direction to the State to conclude the investigation expeditiously in accordance with law and preferably within a period of one month from today.

(RAJESH BHARDWAJ)
JUDGE

28.07.2022

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	Whether Reportable:	Yes/No