

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

**CRM-M No.37862 of 2023
Date of Decision: 03.08.2023**

Diksha

...Petitioner

Versus

State of Punjab & Ors.

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Ms. Jigyasa Tanwar, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioner has invoked the jurisdiction of this Court under Section 482 Cr.P.C for seeking the issuance of direction to respondents No.2 and 3 to refrain from proceeding further with the complaint No.3045-PO dated 15.04.2023 (Annexure P-5) moved by respondent No.4 against her and her family members and from calling them frequently, from Ludhiana to attend the proceedings at Hoshiarpur.

2. I have heard learned counsel for the petitioner in the present petition, at the preliminary stage and have also perused the file carefully.

3. Learned counsel for the petitioner contends that the allegations as levelled by respondent No.4, the husband of the petitioner, in complaint Annexure P-5, are *sans* any substance/truth and even otherwise, the same do not constitute any offence and in fact, the dispute, as has arisen between the parties, pertains to the monetary transactions and is, thus, purely civil in nature but the police authorities have been calling the petitioner and her

family members time and again from Ludhiana to Hoshiarpur, by issuing the notices to them under Section 160 Cr.P.C, on the pretext of conducting the investigation regarding the afore-mentioned complaint and it being so, the petitioner is entitled to the relief, as prayed for in the instant petition.

3. However, the above-raised contentions are devoid of any merit because in his complaint Annexure P-5, respondent No.4 has categorically alleged that the petitioner had misused two cheques, as signed by him at the instance of his parents, for facilitating them to withdraw money from his bank account in the eventuality of any necessity or urgency and on the basis of the said cheques, she (petitioner) had got the total amount of Rs.18 lac transferred to her own bank account.

4. A perusal of the notices Annexures P-6 to P-8 reveals that the same were issued to the petitioner and her family members under Section 160 Cr.P.C to call them in connection with the on-going investigation qua complaint Annexure P-5. Therefore, it would not be appropriate for this Court to comment upon or express any opinion, at this stage, in respect of the nature of the dispute between the parties. To add to it, the petitioner has not placed any material on the file to prima-facie show any malice or malafides on the part of the police authorities in issuing the afore-said notices.

5. As a sequel to the fore-going discussion, the petition in hand, being *sans* any merit, stands dismissed accordingly.

03rd August, 2023

seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes
No