

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

110

CRM-M-38364-2023

Date of decision: 16.08.2023

Lovepreet Kaur

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Rahul Verma, Advocate for
Mr. Nitin Mittoo, Advocate, for the petitioner.

Mr. H.S. Sullar, Sr. DAG, Punjab.

AMAN CHAUDHARY. J.

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.239, dated 26.12.2016, registered under Sections 326-A, 307, 148 & 149 IPC at Police Station Kotwali, District Kapurthala.
2. Learned counsel for the petitioner submits that the trial could not commence as the challan has not been presented whereas, in the case of co-accused after culminating the trial, they have been acquitted.
3. Short reply has been filed by the learned State counsel today in Court. The same is taken on record. Reference is made to para Nos.10 to 12 thereof, which read thus:

“10. That co-accused Lovepreet Kaur was juvenile and she could not be apprehend and lateron she surrendered before Ld, Juvenile Justice Board on 16-02-2019 and application was moved by ASI Lakhwinder Singh before said Court for apprehend her in present case.

11. That final report under section 173 Cr.P.C qua juvenile Lovepreet Kaur is ready to be presented before Ld, Juvenile Justice Board Kapurthala.

12. That as ASI Lakhwinder Singh No.14/KPT has not submitted final report before Ld, Juvenile Justice Board in stipulated period of time, thus vide order No. 2411-14/PA dated 11-08-2023 departmental inquiry has been initiated against ASI Lakhwinder Singh No. 14/KPT.”

4. Learned State counsel on instructions from ASI Amarjit Singh further submits that the final report shall be presented within two weeks from today.

5. In view of the above, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to raise all the pleas before the trial Court in accordance with law.

6. Ordered accordingly.

(AMAN CHAUDHARY)
JUDGE

16.08.2023

Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No