

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 118

Criminal Miscellaneous No.M-3295 of 2020

Date of Decision: January 11, 2023

Mangat Rai

..... PETITIONER(S)

VERSUS

State of Punjab and another

..... RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

. . .

PRESENT: - Mr. Divay Sarup, Advocate for the petitioner (as amicus curiae) with petitioner in person.

Mr. Jashandeep Singh, Assistant Advocate General,
Punjab.

. . .

Tribhuvan Dahiya, J (Oral)

This is a petition under Section 482 of the Cr.P.C. for quashing of FIR No.243 dated 09.08.2018 under Sections 323, 324, 498-A, 406, 342, 34-IPC registered with Police Station Sultanpur Lodhi, District Kapurthala (Annexure P-1) and all other subsequent proceedings arising therefrom.

A perusal of the FIR shows that there are specific allegations against the petitioner with regard to entrustment of dowry articles as well as causing injuries to the complainant. Therefore, *prima facie* alleged offences appear to have been made out against the petitioner.

Learned counsel for the petitioner has argued that the allegations are patently false. It cannot be believed that after receiving injuries at Ludhiana, the complainant would go all the way to Sultanpur Lodhi and lodge the FIR in question. He further contends that there is no medical evidence on record. A CCTV footage regarding the incident in

question is also there which will establish that the injuries alleged have actually not been caused to the complainant.

Learned State counsel on instructions from ASI Avtar Singh has informed that pursuant to lodging of the FIR, challan has already been filed against the petitioner on 21.12.2019 and trial is going on.

In view of the aforesaid, it cannot be said that the allegations are patently false, besides veracity of allegations is a matter of trial, which is going on. It is not a case where allegations on the face of it do not constitute any offence that would call for quashing of the FIR.

Dismissed.

(Tribhuvan Dahiya)
Judge

January 11, 2023
payal

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No