



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

112

CRM-M-41747-2024 (O&M)
Date of Decision:12.11.2024

Anita Rani		 Petitioner
	Versus	
State of Punjab and others		 Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. H.S.Thiara, Advocate for the petitioner.
Mr. Kunwarbir Singh, A.A.G., Punjab.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 of the Criminal Procedure Code is for directing the official respondents for conducting fair and impartial investigation in FIR No.86 dated 14.06.2024 (P-1) under Sections 323, 354, 506, 34 IPC registered at Police Station Adampur, District Jalandhar Rural or from some independent agency and further for arresting the accused persons as till date the accused persons have not been arrested and they are continuously extending threats of life and liberty to the petitioner.

Learned counsel for the petitioner, *inter alia* submits that there are serious allegations made in the present FIR to the effect that on 08.06.2024, the accused namely, Upinder Kumar Parashar son of Jagdish Parashar started hurling abuses upon the complainant/victim/petitioner herein. The said accused Upinder Kumar Parashar called his sons Aarush Parashar, Ritik Parashar and his neighbour Dinesh Kumar son of Harbans



Lal resident of village Kupur to come alongwith Lathi-Danda and gave danda blows on the head and waist of the son of the petitioner, namely Mehul Kumar; attacked on his right eye; and also gave blow on his knee. The son of Upinder Kumar Parashar, namely, Ritik Parashar, gave danda blows on the waist and left leg of the son of petitioner. Neighbour Dinesh Kumar son of Harbans Lal resident of Kupur gave blow in the abdomen of the husband of the petitioner. In the FIR, it is further alleged that Upinder Kumar Parashar son of Jagdish Parashar tore the clothes of the complainant and attacked on her chest, right knee and backbone with stick.

On a Court query whether there is any MLR, or any medical evidence brought on record in respect of any of the three alleged victims, being the petitioner, her son, and her husband, learned counsel for the petitioner admits that no such MLR/medical evidence, has been placed on record.

On a second Court query questioning the delay of 6 days in registration of FIR as, the date of alleged incident is 8.6.2024 whereas FIR has been filed on 14.6.2024, learned counsel for the petitioner is unable to give any explanation.

Learned counsel for the State, on instructions from ASI Gurmeet Singh, further informs that upon investigation, no truth was found in the allegations made in the FIR. As such, a cancellation report was prepared on 06.08.2024 and was duly sent to the complainant/ petitioner by the concerned police officer to appear before the Trial Court.



However, the complainant has refused to sign the notice and has also refused to appear before the Court below. It is further informed on instructions that no medical evidence or any MLR in respect of the petitioner or her husband or her son was received during investigation.

Heard.

Needless to say, if the son of the petitioner had been inflicted with Danda blows on his head and waist, and on his right eye and on his knee, the same would inflict serious injuries upon him. Similarly, if the husband of the petitioner had been given a blow in his abdomen; and if the clothes of the petitioner had been torn, and she had been attacked on her chest, right knee, and backbone with the stick, then the torn clothes and medical examination report of the injured persons would be available during investigation. However, none of the above said evidence is placed on record. Moreover, there is no explanation forthcoming regarding the delay of six days in registration of the FIR. Further, conduct of the complainant in refusing to accept notice of the cancellation report, impels this Court to direct that in view of the facts as noticed above, no further direction is required to be issued in the matter.

The present petition stands **dismissed**.

Pending application, if any, stands disposed of.

12.11.2024

Divyanshi

**(NIDHI GUPTA)
JUDGE**

**Whether speaking/reasoned:
Whether reportable:**

**Yes/No
Yes/No**