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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52618-2024 (O&M)
Date of decision: 23.10.2024

Gurmeet Kaur

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Maninderjit Singh, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking quashing of FIR No.36 dated 26.08.2021 under Sections 498-A & 406 of the Indian Penal Code, 1860, registered at Police Station NRI, District Police Commissionerate Ludhiana and all the subsequent proceedings emanating thereupon.
2. Learned counsel for the petitioner, *inter alia*, contends that FIR (*supra*) was registered at the instance of complainant-respondent No.2 on the allegations of harassment and beatings given to her for demand of dowry. Thereafter, on 05.01.2021, a compromise was effected between the parties,



but the same could not be materialized. The FIR (*supra*) was registered on 26.08.2021, however, till date, the investigation is going on. Learned counsel for the petitioner submits that the petitioner would be satisfied, in case all the pleas taken in the present petition and the documents annexed with the same, are considered by the Investigating Officer before submitting the final report under Section 193 of BNSS [*earlier Section 173 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')*]

3. Notice of motion.

4. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of respondent No.1-State and submits that he has no objection, in case the Investigating Officer is directed to consider all the pleas taken in the present petition and the documents annexed with the same, before preparing the final report under Section 193 of BNSS (*earlier Section 173 Cr.P.C.*).

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance and with the consent of parties, the matter is taken up for final disposal today itself.

6. Keeping in view the aforesaid facts and circumstances, present petition is disposed of with a direction to the Investigating Officer to consider all the pleas taken in the present petition and the documents annexed with the same, before preparing the final report under Section 193 of BNSS (*earlier Section 173 Cr.P.C.*).



7. It is clarified that in case, the final report under Section 193 of BNSS (*earlier Section 173 Cr.P.C.*) is filed against the petitioner, she would be at liberty to file a fresh petition to challenge the FIR (*supra*) as well as the final report under Section 193 of BNSS (*earlier Section 173 Cr.P.C.*).

23.10.2024
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No