



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

CRM-M-53154-2019

Date of Decision : 06.08.2024

BIMLA DEVI AND OTHERS

.....Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Veneet Sharma, Advocate,
for the petitioners.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, prayer is made for quashing of FIR No.007, dated 15.01.2019 (Annexure P-1), under Sections 448, 511, 506 and 34 of the IPC, registered at Police Station Division No.6, Jalandhar City, District Jalandhar, and all the other consequential proceedings arising therefrom, including order dated 19.10.2019 (Annexure P-2) passed by the learned Chief Judicial Magistrate, Jalandhar.

2. Learned counsel for the petitioners while referring to the contents of the FIR (*supra*), submits that averments made therein are innocuous and totally false. He further submits that FIR has been registered admittedly after a delay of 6 months.

3. This Court has heard learned counsel for the petitioners at length, and is of the view that all the issues which have been raised before this Court through the instant petition, are disputed question of facts, which cannot be adjudicated by this Court, just by exchange of affidavits between the petitioners and respondent-State, as same are required to be adjudicated by the learned trial court concerned, at an appropriate stage of the trial.

4. Therefore, this Court refrains itself from exercising its powers to quash the FIR in question. However, liberty is extended to the petitioners to raise all such pleas, as raised through the instant petition, before the learned trial Court concerned, at an appropriate stage of the trial.

5. Consequently, the instant petition is **disposed of**, with the aforesaid liberty.

6. At this stage, what reflects from the perusal of the proceedings of this Court, that this Court vide order dated 13.12.2019, stayed the operation of the impugned order dated 19.10.2019, whereby, the non-bailable warrants have been issued against the present petitioners.

7. Considering the trivial nature of the allegations, and the fact that the matter is pending before this Court since 2019, and the stay is operating regarding non-bailable warrants, the petitioners are directed to cause appearance before the learned trial court concerned, within 15 days from today.

8. In case the petitioners appear before the learned trial Court concerned within the stipulated period, and move an appropriate application for grant of regular bail before that court, the latter shall make every endeavor to decide the same within two days, after giving adequate opportunity to the parties concerned.

9. Further, in case petitioners no.2 and 3, prefers any application seeks exemption before the learned trial court concerned, the latter shall decide the same considering the mitigating circumstances and nature of the allegations.

10. In the meanwhile, the arrest of the petitioner shall remain stayed.

11. In case the petitioners do not cause an appearance before the learned trial Court concerned, within 15 days from today, the interim protection granted by this Court shall be *ipso facto* vacated, without any further reference to this Court.

August 06, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No