

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-59213-2023(O&M)

Date of order: 06.09.2024

SXXX

.....Petitioner(s)

Vs.

State of Haryana & Others

.....Respondent(s)

CORAM: HON’BLE MS. JUSTICE NIDHI GUPTA

Present:- Ms. Sanjeev Kaur, Advocate for
Mr. Ravi Malik, Advocate
for the petitioner.

Mr. Aditya Pal Singla, AAG Haryana.

Nidhi Gupta, J.

Prayer in the present petition is for issuance of directions to the official respondents No.4 to 6 for handing over the investigation of the case FIR No.109 dated 01.10.2023 registered under Sections 323, 329, 34, 376(2)(n), 506 of IPC, 1860 at Women Police Station, Ballabgarh, Faridabad, to respondent No.3 i.e. State Crime Branch, Faridabad or some other independent Investigating Agency.

2. Learned State Counsel refers to the averments made in para No.9 of the status report dated 27.02.2024 filed by way of affidavit of Sh. Rajesh Lohan, HPS, ACP, Tigaon, Faridabad on behalf of respondents No.1 to 8 to submit that a cancellation report was prepared in the present case on 25.11.2023, which has been submitted before the learned Judicial Magistrate, 1st Class, Faridabad on 13.02.2024, as all the allegations made in the above said FIR No.109 dated 01.10.2023 levelled by her against the

private respondents herein were found to be false. It has also been averred that the petitioner was involved in selling of liquor.

3. Learned State Counsel further refers to cancellation report dated 25.11.2023 (Annexure R1), wherein a reference has also been made to:

- i) FIR No.162 dated 05.04.2023 under Sections 354A and 509 IPC;
- ii) FIR No.542 dated 09.09.2003 under Sections 376, 506 IPC;
- iii) FIR No.572 dated 03.10.2011 under Sections 376, 511, 454, 506 IPC;
- iv) FIR No.197 dated 23.12.2016 under Section 4 POCSO Act, 342, 376, 506 IPC Women Police Station, Palwal; and
- v) FIR No.985 dated 05.09.2017 under Sections 147, 149, 323, 379A, 452 and 506 IPC which were got registered at the instance of the petitioner against other persons on basis of similar allegations.

4. Reference has also been made to:

- i) FIR No.103 dated 04.03.2023 under Section 61/1/14 Excise Act;
- ii) FIR No.180 dated 15.04.2023 under Section 61/1/14 Excise Act; and
- iii) FIR No.633 dated 19.12.2022 under Sections 323, 506 and 34 IPC at PS Adarsh Nagarh Ballabgarh, which have been registered against the petitioner.

5. Keeping in view these facts, the SHO, Women Police Station Ballabgarh reported after thorough investigation that the petitioner is habitual of filing several cases in greed of money and that she is involved

in selling of liquor. It has also been found that no proper evidence was found against the private respondents. As such the cancellation report (Annexure R-1) was presented before Smt. Jyoti Grover, Judicial Magistrate, 1st Class, Faridabad on 13.02.2024.

6. In view of the above facts, which are not disputed by learned counsel for the petitioner, no further directions are required to be issued in the matter.

7. Accordingly, the present petition stands **dismissed**.

8. Pending application(s) if any also stand(s) disposed of.

06.09.2024

Sunena

(Nidhi Gupta)

Judge

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