



CRM-M-17334-2025

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

CRM-M-17334-2025

Date of decision: 21.05.2025

**Karan****....Petitioner****Versus****State of U.T. Chandigarh and others****....Respondents****CORAM: HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. Amandeep Sharma, Advocate  
for the petitioner.

Mr. Alankrit Bhardwaj, Addl. P.P., UT, Chandigarh.

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**AMARJOT BHATTI, J.**

Petitioner-Karan has filed present petition under Section 528 of BNSS, 2023 for quashing of FIR No.204, dated 13.12.2022 (Annexure P-1) under Section 376(2)(n) of IPC and Section 6 of POCSO Act, registered at Police Station Sector-39, Chandigarh, and consequential proceedings arising therefrom.

2. As per facts narrated in FIR No.204, dated 13.12.2022 (Annexure P-1), the said FIR has been registered on the statement of complainant 'A' who alleged that she is 30 years old lady working in a private sector. She is having three children. On 19.11.2022, all family members went to sleep. At about 12.00 o'clock, she woke up to drink water. She noticed that her daughter i.e. the victim 'T' age about 14 years was not present at home. She disclosed this fact to all the family members who started searching for her. At 3.00 a.m. they found the victim towards empty plot behind their house. She disclosed that she was taken away by



Karan to his house and he forcibly developed physical relations with her. She further disclosed that Karan had developed physical relations with her earlier also. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that all allegations levelled against him are false. No such occurrence took place. During trial the complainant is examined as PW-3. Copy of her cross-examination is Annexure P-2. Statement of victim recorded as PW-6 is Annexure P-3. They (PW-3 and PW-6) have not supported the prosecution case. In the light of this, there is no likelihood of any outcome in the present case and continuation of criminal proceedings against him will not serve any purpose. Therefore, aforesaid FIR and all proceedings initiated against him may be quashed.

4. Status report is filed by Additional Public Prosecutor, U.T., Chandigarh. Service of private respondents No.2 and 3 is dispensed with. I have gone through the status report, according to which FIR was initially registered under Section 376(2)(n) IPC and Section 6 of POCSO Act. During investigation, offence under Sections 376(3), 376(2)(f), 363, 366 and 506 IPC were added. After proper investigation, challan is already presented on 09.02.2023 and the charges are framed on 20.03.2023. Out of 27 prosecution witnesses, 18 witnesses have already been examined. Three witnesses were given up and 6 witnesses are left to be examined. Perusal of testimony of prosecutrix and her mother clearly indicates that they suppressed material facts from the Court. The allegations are specific and serious. The trial is already going on. Therefore, present petition deserves to be dismissed

5. I have considered the aforesaid factual position and gone



through the record. Learned counsel representing U.T., Chandigarh rightly pointed out that after completion of investigation, challan was presented and charge sheet was framed against the present petitioner. Prosecution witnesses are being examined out of which 18 witnesses have already been examined. Learned counsel for petitioner has annexed copy of cross-examination of the prosecutrix PW-3 and statement of victim as PW-6 (Annexures P-2 and P-3) to support the present petition for quashing of FIR and subsequent proceedings. Since the trial is already under progress, therefore, the testimony of prosecution witnesses will be considered at appropriate stage by the trial Court. It is not appropriate to quash the FIR and the subsequent proceedings when substantial number of prosecution witnesses are already examined.

6. Considering the aforesaid factual position, without going on the merits of the case, I do not find a fit case for quashing of FIR No.204, dated 13.12.2022 (Annexure P-1) registered at Police Station Sector-39, Chandigarh and subsequent proceedings arising therefrom. Let the case be decided on merits.

Petition is accordingly dismissed.

**(AMARJOT BHATTI)**  
**JUDGE**

21.05.2025  
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|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable         | : | Yes /No |