

CRM-M-58844 of 2024

2025:PHHC:005791



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

CRM-M-58844 of 2024

Date of decision: 15.01.2025

XXXX

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Omkar Chauhan, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

NAMIT KUMAR, J.

1. Instant petition has been filed by the petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of impugned order dated 30.08.2024 (Annexure P-5), passed by learned Additional Sessions Judge, Faridabad, whereby application filed by the petitioner-complainant for further investigation in case FIR No.231 dated 09.10.2022 registered under Sections 498-A, 323, 377, 406, 506, 34 IPC and Section 3(2)(iv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, at Women Police Station, NIT, Faridabad, has been rejected.

2. Brief facts of the case are that with the consent of both the families, petitioner and respondent No.2 married each other on 27.11.2020. After the marriage, petitioner levelled allegations of harassment, demand of dowry and casteist remarks against the



petitioner. Therefore, on the basis of complaint of the petitioner, FIR No.231 dated 09.10.2022 was registered against respondents No.2 to 5, under Sections 498-A, 323, 377, 406, 506, 34 IPC and Section 3(2)(iv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, at Women Police Station, NIT, Faridabad. Thereafter, on the basis of statement of petitioner-complainant under Section 164 Cr.P.C., Section 313 IPC was added. After investigation, Sections 377 and 313 IPC were deleted and challan under Sections 498-A, 406, 323, 506, 34 IPC and Section 3(2)(iv) of the SC/ST Act was presented by the police in the Court. Petitioner moved an application under Section 156(3) read with Section 173(8) Cr.P.C. before learned Additional Sessions Judge, Faridabad, for directions to the police to conduct further and fair investigation and to file supplementary challan in the case. The application filed by the petitioner has been dismissed by the Court of learned Additional Sessions Judge, Faridabad, vide order dated 30.08.2024. Hence, the present petition.

3. I have heard learned counsel for the parties and perused the record.

4. Perusal of record transpires that due investigation was conducted in the case. Petitioner could not produce medical record with regard to offence under Section 313 IPC whereas Section 377 IPC has been deleted after medical opinion from Surgeon of B.K. Hospital. The Court has rightly observed that with regard to her grievance for non-addition of offence under Section 3(2)(va) of the SC/ST Act, the petitioner can agitate the same at the time of framing of charges. This



Court does not find any illegality or perversity in the impugned order, which may warrant any interference by this Court.

5. Dismissed.

15.01.2025
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No