



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

CRM-M-89-2025(O&M)

Date of Decision:-04.09.2025

Jyoti Kumari.

.....Petitioner.

Vs.

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Tanmoy Gupta, Advocate for the Petitioner.

Mr. Vipul Sherwal, AAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

CRM-30411-2025

Allowed as prayed.

Document annexed along with the application is taken on record as Annexure P-4. The registry is directed to place the same at appropriate place and paginate the paper book accordingly.

CRM-M-89-2025

The Prayer in this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 is for quashing of the Calandara bearing No.20 dated 21.11.2023 under Section 182 IPC registered at P.S. Rajendra Park, Gurugram (Annexure P-3) against the petitioner and all the consequential proceedings arising out of the Calandra (P-3).

2. The brief facts of the case are that the petitioner got registered an FIR No.295 dated 12.07.2021 under Sections 376(2)(n), 506 IPC at



Police Station Rajindra Park, District Gurgram against the respondent no.2- Himanshu Pal. On the basis of the investigation conducted a cancellation report was presented which came to be accepted on 07.06.2024. Meanwhile, a Calandra under Section 182 IPC dated 21.11.2023 was registered at Police Station Rajindra Park, Gurugram in which the petitioner came to be summoned.

3. It is the aforesaid Calandra which is under challenge in the present petition.

4. The Counsel for the petitioner contends that the FIR had been rightly registered. Pursuant to the registration of the FIR the statement of the petitioner had been recorded under Section 164 Cr.PC. Despite the aforementioned fact, the investigating agency chose to submit a cancellation report and, thereafter instituted a Calandra under Section 182 IPC. As the petitioner is a married lady, the proceedings would be an abuse of the process of the Court and would have devastating consequences on her married life. He, therefore, prays that the Calandara and all the consequential proceedings arising therefrom be quashed.

5. The Counsel for the State on the other hand contends that pursuant to the registration of the FIR, a thorough investigation was carried out and a cancellation report was submitted which was accepted by the Court on 7.6.2024. It was found that the petitioner Jyoti Kumari had misused the police machinery to get the aforementioned false FIR registered. Charges already stand framed under Section 182 IPC against the petitioner and the case is pending trial. As the offence stands *prima facie* established therefore, the present petition is liable to be dismissed.

6. I have heard counsel for the parties and examined the material on record.



7. A perusal of the facts would reveal that the FIR came to be registered at the instance of the petitioner against the respondent no.2 Himanshu Pal. On a thorough investigation being conducted, the cancellation report was submitted which has been accepted by the concerned Court. In the meantime, a Calandra was filed under Section 182 IPC in which the charges have been framed and the case is pending for prosecution evidence. As the offence stands *prima facie* established, the question of quashing of the Calandra and the consequential proceedings arising therefrom does not arise.

8. In view of the above, I find no merit in the present petition and the same stands dismissed.

9. However, the observations made herein above, are only for the purposes of deciding the present petition and shall have no bearing on the merits of the case before the Trial Court which is free to adjudicate upon the same on the basis of the evidence led before it uninfluenced by any observations made herein.

(JASJIT SINGH BEDI)
JUDGE

September 04, 2025
Vinay

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