

CRM-M-1346 of 2015

Date of Decision: 14.01.2015

Inderjit Kaur

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. K.S.Sidhu, Advocate
for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The instant petition under Section 482 of the Code of Criminal Procedure Code (in short “Cr.P.C.”) has been preferred to lay challenge to orders dated 1.11.2014 passed by the Court of Additional Sessions Judge, Bathinda whereby revision petition preferred by the petitioner against order dated 29.3.2014 passed by the Judicial Magistrate Ist Class, Bathinda has been dismissed.

The precise grievance of the petitioner is that the jewellery articles recovered during investigation of FIR No. 05 dated 21.2.2014 for offence punishable under Section 498-A, 406 of the Indian Penal registered at Police Station, Women, Bathinda have not been released in her favour.

As a matter of fact, these articles have not been released in favour of any of the parties i.e. the complainant (petitioner herein) or the

accused from whom the recovery was made. However, it appears that the accused did not file any application claiming release of these articles on sapurdari. The revisional court has recorded that no prejudice is likely to be caused to the petitioner if these articles are kept in police custody till final disposal of the case.

In this view of the matter, I do not find any reason to interfere in exercise of jurisdiction under Section 482 Cr.P.C. when otherwise the question of release of these articles in favour of either of the parties is to be decided on the basis of evidence. However, nothing stated in the orders passed by the courts below would cause prejudice to the right of the petitioner to stake her claim to these articles at the time of final disposal of the case.

Petition stands disposed of accordingly.

(REKHA MITTAL)
JUDGE

14.01.2015
PARAMJIT