

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

Crl. Misc. No. M-17037 of 2014 (O&M)

Date of decision : 19.01.2015.

Lakhvir Kaur

....Petitioner

versus

State of Punjab and others

...Respondents

CORAM: **HON'BLE MS. JUSTICE RITU BAHRI**

Present: Mr. Kulbhushan Raheja, Advocate, for the petitioner.

Mr. Daljeet Singh Virk, AAG, Punjab

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**RITU BAHRI , J. (Oral)**

This petition under Section 482 of the Code of Criminal Procedure is for issuance of direction to respondent Nos. 1 to 3 to conduct the investigation properly in F.I.R No. 6 dated 12.1.2014 registered at P.S. Malout, District Sri Muktsar Sahib under Sections 363/366/376/323 IPC or transfer the investigation of the case to the police of outside District or Crime Branch, Punjab.

On notice, a reply has been filed on 12.12.2014 stating therein that the F.I.R in question was registered against accused Harjit Singh and Gurprit Singh alias Gora. After the registration of the case, the enquiry was got conducted by SIT consisting of senior police officers. Different persons were joined in the investigation. It was found that Harjit Singh etc did not rape the present petitioner nor she was picked. As per the investigation and

statement of witnesses, tower locations of the accused were not found at the place of occurrence. Lakhbir Kaur in her statement stated that she never named the accused person but later on at the instance of some person, F.I.R was got registered. As per the report of the doctor, rape has been found to have been committed but the complainant of the case is not informing the real culprits before the police. Accused Harjit Singh and Gurpreet Singh alias Gora were found innocent. Best efforts were made to trace the real culprits. The copy of the enquiry report is Annexure R-1/T. The police had now prepared the untraced report on 21.09.2014 and the same will be presented shortly in the Court.

In compliance of order dated 17.12.2014, affidavit of Kuldeep Singh dated 14.01.2015 has been filed stating therein that the petitioner is not co-operating the police in searching the police and there is no danger to the life and property of the petitioner and the enquiry has been conducted thoroughly by the police. Further police is making efforts to nab the real culprits at its own level.

Faced with the situation, learned counsel wishes to withdraw the present petition to enable the petitioner to take alternative remedy in accordance with law.

Allowed as prayed for.

Dismissed as withdrawn with the aforesaid liberty.

19.01.2015

G.Arora

**(RITU BAHRI)**

**JUDGE**

GAURAV  
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I attest to the accuracy and  
integrity of this document