

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

CRM-M No.18083 of 2015

Date of Decision:-31.08.2015

Divya Gupta.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Ms. Promila Nain, Advocate &
Ms. Anita Wadhwa, Advocate for the Petitioner.

Mr. K.S. Sidhu, Deputy Advocate General, Punjab along with
SI Jagan Nath.

JASWANT SINGH, J (ORAL)

Petitioner-daughter of the deceased Kiran Bala has filed the present petition under Section 482 Cr.PC seeking issuance of directions to the investigating agency to submit a challan in FIR No.69 dated 09.05.2014 (P-2) registered with Police Station Adampur under proposed Sections 302, 307 and 34 of Indian Penal Code instead of Section 306 of the Indian Penal Code as already submitted.

Such a recourse is sought to be justified in the light of the statement of the deceased before the investigating agency as also under Section 164 Cr.PC before the Magistrate. However, the investigating agency in the light of evidence collected from the locality has chosen to submit a challan under Section 306 IPC only.

After hearing learned Counsel for the parties, it is not disputed that in the challan nothing has been withheld and, therefore, the entire evidence collected along with the pleas to be raised shall be liable to be considered at the time of framing of charge by the learned trial Court.

With the aforesaid observations, petition is disposed of as infructuous.

(JASWANT SINGH)
JUDGE

August 31, 2015
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