

CRM-M-20513-2015

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

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Date of Decision: 24.06.2015

Kulpreet Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

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

Present: Mr. P.B.S.Goraya, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.01 dated 01.01.2015, registered at Police Station Urban Estate, Patiala, under Sections 279 and 304-A of the Indian Penal Code, alongwith all the subsequent proceedings arising therefrom. A prayer has also been made to the effect that fresh/further investigation may be ordered to be conducted by some senior officer by looking into the aspects contained and highlighted by the petitioner in the petition.

Learned counsel for the petitioner states that he does not press the relief qua quashing of FIR, however, contends that

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investigation is tainted as material evidence available at the spot including the footage of CCTV camera installed in adjacent house, has not been taken into consideration. From CCTV footage, it is clear that the motor-cyclist came at a high speed and struck in the centre of vehicle in question. The matter is required to be investigated under the supervision of the higher officer preferably Senior Superintendent of Police, Patiala or senior officer of the crime branch.

Notice of motion.

On the asking of the Court, Mr. Amit Chaudhary, Addl. A. G. Punjab accepts notice.

Since CCTV footage has been shown to the Court and even compact disc has been brought in the Court, this Court deems it fit and appropriate that matter needs to be further investigated. The investigation shall be carried out under the supervision of the Senior Superintendent of Police, Patiala, who will get the matter investigated by some senior police officer not below the rank of the Deputy Superintendent of Police. It is made clear that at the time of investigation, alleged CCTV footage of the accident and other material evidence available at the spot, if any, shall also be taken into consideration in accordance with law. The petitioner will be at liberty to produce CCTV footage and compact disc before the Senior Superintendent of Police, Patiala for examination and further investigation. Needful shall be done within two months from the date of

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receipt of certified copy of this order.

Disposed of in the aforementioned terms.

24.06.2015
parveen kumar

(Paramjeet Singh)
Judge