

CRM-M-23981-2014 (O&M)

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

**CRM-M-23981-2014 (O&M).
Decided on: September 30, 2015.**

Parveen Chabra

.. Petitioner(s)

VERSUS

State of Punjab and others

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.Sanjay Kaushal, Sr. Advocate, with
Mr.Aman Dhir, Advocate,
for the petitioner.**

Mr.Gazi Mohammad, DAG., Punjab.

M.M.S. BEDI, J. (ORAL)

This is a petition for direction to respondent Nos.2 to 4 to transfer the investigation of FIR No.55 dated 11.5.2014, under Section 306 IPC, registered at Police Station, GRP, Jalandhar, to an independent agency or to direct the Investigating Agency to fairly investigate the case.

Counsel for the petitioner has submitted that the petitioner has got an apprehension that on account of ink on two pages of suicide note having been evaporated on account of some chemical during the course of investigation and on account of affidavits having been collected by the Investigating Agency contrary to the allegations of the complainant, the Investigating Agency might end up in filing cancellation report.

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After hearing counsel for the petitioner and State counsel, it appears that the investigation is being conducted by Inspector Murlidhar. He has recorded the statements of all the witnesses who have been offered by the complainant and are conversant with the allegations of the complainant. He has informed that no doubt ink on two pages of suicide note has evaporated effected after the recovery but offence under Section 201 IPC has been added and the matter would be investigated regarding the culpability of any person responsible for the said act but he has submitted that a photocopy of original suicide note is available, as such, no prejudice will be caused to any party on account of chemical reaction aforesaid. He has also informed that an application filed for getting the sample voice of Naresh Sharda was filed and a revision is fixed for disposal before the revisional Court for 3.10.2015, as said application had been allowed by the Illaqua Magistrate.

Taking into consideration, the above said circumstances, I am of the considered opinion that the circumstances do not warrant transfer of the investigation to any other agency. However, a direction is issued to take into consideration all the statements offered by the complainant or any person conversant with the culpability of any person involved in the case in the light of the provisions under Section 163 (2) Cr.P.C. and that the investigation would be fairly conducted taking into consideration the statutory provisions under Chapter XII of the Code of Criminal Procedure and

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police rules.

Disposed of with above said observations expecting that any material produced by the complainant will be taken into consideration by the Investigating Agency.

(M.M.S.BEDI)
JUDGE

September 30, 2015.
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