

223-A

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

CRM-M-29337-2014

Date of decision: 02.07.2015

Baljit Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms. Madhuri Pundir, Advocate for
Mr. Shashank Bhandari, Advocate
for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner, by way of instant petition under Section 482 Cr.P.C., seeks direction to the respondent to hand over the investigation of the case FIR No.102 dated 14.08.2014 under Sections 302, 34 IPC, Police Station Badhni Kalan, District Moga.

Notice of motion was issued and pursuant thereto, reply by way of affidavit dated 24.06.2015 filed in the Court today, is taken on record and copy thereof has been supplied to learned counsel for the petitioner.

Learned counsel for the State, on instructions from ASI Balwinder Singh, Police Station Badhni Kalan, District Moga, submits that since the investigation is already over and as a consequence thereof, cancellation report dated 24.01.2015 has already been presented on 31.01.2015 before the Court of competent jurisdiction, present petition does not survive and the same may be disposed of as such. She further submits

that even the petitioner has filed her private complaint before the learned Court of competent jurisdiction on the same set of allegations.

Faced with the above, learned counsel for the petitioner submits that let the present petition be disposed of in view of the statement made by learned counsel for the State but liberty may be granted to the petitioner to pursue her other remedies, in accordance with law including her private complaint, if any filed by her.

In view of the above respective stands taken by learned counsel for the parties, present petition is disposed of with liberty to the petitioner, as prayed for by her counsel.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

02.07.2015
vishnu