

In the High Court of Punjab and Haryana at Chandigarh

PARAMJIT KAUR SAINI
2015.01.05 16:15
I attest to the accuracy and
authenticity of this document

CRM-M-44017 of 2014

Date of Decision: 05.01.2015

Ram Ratti

---Petitioner

versus

State of Haryana and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Anil Malik, Advocate
for the petitioner

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

REKHA MITTAL, J.

The petitioner has preferred the present petition under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C.") for issuance of direction to the official respondents to submit report in regard to further investigation conducted by Crime Branch, Hissar in pursuance of order dated 29.7.2013 passed by the trial court in pending trial pertaining to FIR N. 22 dated 28.1.2013 registered at Police Station City, Narwana for offence punishable under Sections 302, 324, 452, 307, 326 read with Section 34 of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Counsel for the petitioner contends that since the investigating agency had sought permission from the court for conducting further investigation under Section 173(8) Cr.P.C., directions may be issued to the

official respondents to complete further investigation and submit a report in regard thereto before the trial court.

I have heard counsel for the petitioner and gone through the records.

The petitioner is one of the accused in the case and she has been charged of the offence in view of the report submitted under Section 173 Cr.P.C. Once the Court has taken cognizance of the offence against the present petitioner, there is no provision in the Cr.P.C. which empowers the investigating agency to submit a report contrary to what has been found during initial investigation on the basis whereof, the challan has already been presented in the court. In this view of the matter, I do not think it to be a fit case wherein the petitioner deserves indulgence of this Court for issuance of direction as prayed for.

Dismissed.

(REKHA MITTAL)
JUDGE

05.01.2015
PARAMJIT