

114.

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

CRM-M-18886-2016

Date of decision:15.12.2016

KRISHNA DEVI

.... Petitioner

versus

STATE OF HARYANA AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sharad Aggarwal, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Bhupinder Singh Rathore, Advocate,
for respondents No.5 and 6.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to respondents No.1 to 4 to protect the life and liberty of petitioner and other family members from the hands of respondents No.5 and 6, as they are being threatened to compromise/withdraw FIR No.231 dated 05.03.2015 under Sections 302/506/34 IPC registered at Police Station Karnal City, District Karnal.

Learned counsel for the petitioner states that after the registration of FIR, petitioner and her family members are getting threats at the hands of private respondents i.e. respondents No.5 and 6 for which, petitioner has already submitted a representation dated 15.02.2016 (Annexure P-9) to Inspector General of Police, Karnal Range, Karnal as

well as to Superintendent of Police, Kurukshetra and SHO, Police Station

City, Karnal. Thereafter, petitioner also submitted a reminder on 09.03.2016 (Annexure P-10). He further states that though the FIR, in question, was registered on 05.03.2015, but till date, police has not completed investigation.

Reply by way of affidavit of Vivek Chaudhary, HPS, Deputy Superintendent of Police, City, District Karnal, on behalf of respondent No.1 has already been filed. Learned State counsel, on instructions from ASI Ramesh Kumar, while drawing attention of this Court to the reply submitted by respondent No.1, submits that after registration of the case, the initial investigation was carried out by Naresh Chand, ASI, who recorded the statement of the complainant and other witnesses, and thereafter, the investigation was transferred to CIA-II, Karnal. Since the petitioner was not happy with the investigation being carried out by the Karnal police, the Inspector General of Police, Karnal Range, Karnal, in order to conduct fair and impartial investigation, vide his office memo dated 10.04.2015, transferred the investigation to District Kurukshetra and had directed the S.P. Kurukshetra to appoint a Gazetted Officer to carry out investigation. Thereafter, the investigation was conducted, but during the course of proceedings, no incriminating evidence had come on file and accordingly, police had prepared an untraced report on 18.08.2016, which was duly approved by the S.P. Karnal. Learned State counsel further submits that the prayer of the petitioner for fair investigation no more survives.

I have heard learned counsel for the parties.

So far as the prayer to protect the life and liberty of the petitioner and her family members is concerned, respondent No.3-Superintendent of Police, Karnal is directed to look into the matter and in

case, a representation is submitted by the petitioner in this regard, consider and decide the same in accordance with law.

It is made clear that the direction is confined only qua protection of life and liberty of the petitioner and her family members.

As regards the prayer of the petitioner for investigation is concerned, since the respondents have already completed investigation, they are directed to submit necessary report to the court at the earliest.

With the aforesaid directions, the present petition stands disposed of.

(HARI PAL VERMA)
JUDGE

15.12.2016

sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No