

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

Sr. No.261

CRM NO. M-23857 of 2015

DECIDED ON: October 19, 2016

SUNITA

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioner.

Mr. Gurdas Singh, DAG, Haryana.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Section 482 Cr.P.C., petitioner has sought the direction to official respondents to locate the son namely Rohit as well as to take an appropriate action against the private respondents or to hand over the investigation pertaining to FIR No.357, dated September 15, 2014, under Section 365, Police Station Farakpur, to some independent agency i.e. C.B.I., Crime Branch or any other agency.

In pursuance of issuance of notice of motion, status report by way of affidavit of Madan Lal, Deputy Superintendent of Police, District Yamuna Nagar has been filed on behalf of official respondents.

Para No.2 of the status report-cum-affidavit is relevant for the disposal of instant petition, which reads as under:-

“That on receipt of the directions issued by this Hon'ble Court, the same was marked to ASI Suresh Kumar. After that the petitioner and the respondent no.4 were called in police station Farakpur and their statements were recorded. In her statement the petitioner stated that she has wrongly stated the name of respondent no. 4 i.e. Satish Kumar on the basis of apprehension and she does not want to take any action against him. The name of Satish Kumar is wrongly mentioned and there is no role of Satish Kumar in the missing of her son and she has no concern with him and she will also withdraw the said petition and does not want take any action. The true translated copy of statement of petitioner Sunita is annexure R-2. After that the statement of respondent no. 4 Satish Kumar was recorded. In his statement respondent no. 4 stated that he do not know Rohit Kumar. He has never seen Rohit Kumar. The petitioner has wrongly mentioned his name whereas, he has no concern with Rohit Kumar. The true translated copy of statement of respondent no. 4 Satish Kumar from Hindi to English is enclosed herewith as Annexure R-3. As such the directions of this Hon'ble Court have been complied with letter and spirit. Moreover, the local police is continuously making efforts to search out the missing person Rohit Kumar, so whenever he will be traced out the further action will be taken as per law. So, the status report is submitted before this Hon'ble court for kind perusal of this Hon'ble court.”

A glance at the aforesaid paragraph transpires that petitioner is satisfied with the investigation being carried out by the Investigating Agency. Her statement (Annexure R-2) has also been recorded by the police officer. It has been categorically stated that she mentioned the name of Satish Kumar one of the respondents wrongly, otherwise he has got no concern with regard to missing of her son. Even, she also undertook to

In view of the aforesaid facts and circumstances, instant petition has rendered infructuous and it stands disposed of.

October 19, 2016
Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No