

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

**Crl. Misc. No.M-25658 of 2016 (O&M)
Date of decision : 28.07.2016**

Bharat Bhushan Sethi

.....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sanjay Kaushal, Senior Advocate with
Mr. Abhishek Sethi, Advocate
for the petitioner.

ANITA CHAUDHRY, J.

This petition has been filed by the complainant seeking directions to respondent no.1 (State of Haryana) to hand over the investigation of FIR No. 435 dated 28.06.2016, registered under Section 306/34 IPC, Police Station Model Town, District Panipat with further directions to respondents no.1 & 2 to get the statement of Kush @ Kanu recorded under Section 164 Cr.P.C.

An FIR was got registered by the petitioner on account of untimely death of his niece. The complainant had nominated the husband, the mother in law and the sister in law. The deceased had consumed pesticide. The petitioner claims that the mother in law and sister in law were present at the spot along with the 6 years old son and the child was an eyewitness to the occurrence and he was old enough to narrate the sequence.

It was urged that the police was not arresting the sister in law and the matter should be sent to some other agency not below the rank of S.P. and direction should be given to get the statement of the child recorded under Section 164 Cr.P.C.

I have gone through the statement given to the police on which FIR was registered. It is admitted that the husband and the mother in law have already been arrested. The petitioner has already given a representation to the Senior Officers. No directions can be given to the police as to how the investigation is to be carried out as it tantamounts to interference by the Courts.

The petition is dismissed.

28.07.2016

Sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No