

285 (4)
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 28.4.2016

CRM No. M-40939 of 2015 (O/M)

Reema Rani

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CRM No. M-40941 of 2015 (O/M)

Reema Rani

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CRM No. M-40943 of 2015 (O/M)

Reema Rani

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CRM No. M-40944 of 2015 (O/M)

Reema Rani

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Amaninder Preet, Advocate, for the petitioner
in all the cases.
Mr. Navdeep Singh, Deputy A.G. Punjab.

1. Whether the Reporters of local newspaper 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 ?

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KULDIP SINGH J. (ORAL)

By this order, I shall dispose of four petitions i.e. CRM-M-40939 of 2015, CRM-M-40941 of 2015, CRM-M-40943 of 2015 and CRM-M-40944 of 2015, titled as Reema Rani Versus State of Punjab and others.

The learned counsel for the petitioner contends that Rajwinder Singh (husband of the petitioner) was a Municipal Councillor from Ward No. 15, Kotkapura, District Faridkot. He was being pressurized to join the ruling party and when he did not do so, the following FIRs were registered against him :-

1. FIR No. 102 dated 3.7.2015, P.S. City Kotkapura, District Faridkot, under Sections 212/216 IPC ;
2. FIR No. 105 dated 3.7.2015, P.S. City Kotkapura, District Faridkot, under Section 21 of the NDPS Act, 1985 ;
3. FIR No. 107 dated 4.7.2015, P.S. City Kotkapura, District Faridkot, under Section 25 of the Arms Act, 1959 ;
4. FIR No. 172 dated 4.8.2015, P.S. Kotwali, District Faridkot, under Sections 307/323/148/149 IPC and under Section 42 of Prisons Act, 1894.

The first two FIRs were registered on the same day, the third was registered on the next day and the fourth was registered after one month.

It is claimed that the petitioner was not named in the FIR No. 172. However, he was involved in the said case. In all the cases, the challan has not been presented so far. The learned

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counsel for the petitioner further contends that the call details of the concerned police officials show that they were not present at the given places as mentioned in the FIRs.

The matter of registration of four FIRs within a short span against a Municipal Councillor is a serious matter and it is to be determined whether he is actually involved in the crime or it is case of false implication to press him to join the ruling party. As such, all the four petitions are allowed. The investigation of the aforesaid cases is withdrawn from the police of P.S. City Kotkapura, District Faridkot and police of P.S. Kotwali, District Faridkot, and is entrusted to the State Investigation Bureau, Punjab. It is further directed that the matter shall be investigated by a police officer of the rank of Deputy Superintendent of Police or above. The investigation shall be carried out expeditiously, after considering the record, which may be produced by the accused to rebut the allegations and thereafter, the final report be presented to the Court concerned.

All the four petitions are allowed.

(KULDIP SINGH)
JUDGE

28.4.2016
sjks