

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-44220 of 2015

Date of decision:- September 19, 2016

SUMAN KUMARI

.....PETITIONER..

Vs.

STATE OF HARYANA AND OTHERS

....RESPONDENTS..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- None for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

JASPAL SINGH, J.(Oral)

By virtue of instant petition preferred under Section 482 of the Code of Criminal Procedure, petitioner has sought directions to official respondents to conduct fair and impartial investigation in FIR No. 113, dated 19.08.2015 (Annexure P-5) and to hand over the investigation to some officer of high rank or independent agency.

2. In pursuance of notice of motion, reply by way of affidavit of Mr. Satyapal, HPS, Deputy Superintendent of Police, Dabwali, District Sirsa on behalf of respondents No. 1 to 3 has been filed. Para 2 is relevant for the disposal of instant petition, which reads as under:-

“That in the above mentioned case FIR No. 113, dated 19.08.2015, the police has already completed its investigation and has filed the report under Section 173 Cr.P.C. before the ld. trial court of Shri Davender Singh,

Judicial Magistrate, First Class, Dabwali (Sirsa) on 20.02.2016. On 20.02.2016, the accused persons i.e. private respondents No. 4 to 6 also came present before the Court of Shri Davender Singh, Judicial Magistrate, First Class, Dabwali and secured their regular bail, which has been granted to them by the ld. trial court vide order dated 20.02.2016. No accused is declared as P.O. in this case.”

3. A glance at the aforesaid paragraphs transpires that after the investigation, report under Section 173 (2) Cr.P.C. has already been presented and ld. Magistrate, Dabwali (Sirsa) is already seisin of the matter. In view of the fact that investigation is complete and challan has already been presented, the instant petition has rendered infructuous. As such, it stands disposed of accordingly.

September 19, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No