

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

**Crl. Misc. No.M-4850 of 2016 (O&M)
Date of decision : 24.09.2016**

Preeti Sharma

... Petitioner

versus

U.T. of Chandigarh & Ors.

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajbir Singh, Advocate
for the petitioner.

ANITA CHAUDHRY , J(ORAL)

At the instance of the petitioner, FIR No. 459 dated 17.11.2015 has been registered under Section 376 IPC at Police Station Sector-39, Chandigarh against Nikhil Kumar and others.

Through the instant petition she has prayed for issuance of directions to the official respondents to arrest the accused. According to learned counsel, despite the fact that the bail application of co-accused Gaurav Mahajan @ Ishu was dismissed on 09.12.2015, no steps have been taken by the police to arrest the accused and they are roaming freely.

On the last date of hearing, learned counsel was asked to give her age as also the medical, if any and to inform whether her statement under Section 164 Cr.P.C. was recorded. But he has failed to give/ place any information. He, however, states that the prosecutrix was more than 18 years of age.

The police is investigating the allegations levelled by the petitioner in the FIR not only against one Nikhil, but his brother, friend and

family members. If the petitioner is not satisfied with the pace and direction of the investigation, she can approach the higher authorities for redressal of her grievance. But without resorting to that, the petitioner has straightway approached this Court. Any direction issued by this Court would amount to interference in the investigation, which is in the exclusive domain of the investigating agency.

The petition is dismissed.

September 19, 2016

Jiten

Whether speaking

Whether reportable

(ANITA CHAUDHRY)

JUDGE

Yes/ No

Yes/ No