

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

COC-2745-2016

Date of decision: June 06, 2017

Devinder Kaur

...Petitioner

Versus

Paramraj Singh Umranangal & others

...Respondents

CORAM: **HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Ms. Charanjit Kaur, Advocate for the petitioner.

Mr. V. Ram Swaroop, Addl. A.G. Punjab.

Rajan Gupta, J.

Brief factual background of the case is that complainant alleged that Vatandeep Kaur, daughter-in-law of the petitioner in collusion with her father Ajaib Singh, wanted to grab the land of petitioner's husband Sukhdev Singh. Due to harassment at their hands, Sukhdev Singh killed his son and grand daughter and thereafter himself committed suicide leaving behind a suicide note. Thereafter, petitioner got FIR No.173 dated 26.8.2015, under section 306/34 IPC registered at Police Station, Civil Lines, Patiala. When police did not take any action, petitioner filed a Crl. Misc. Petition bearing CRM-M-21529-2016 before this court. Vide order dated 11.7.2016, Senior Superintendent of Police, Patiala was directed to look into the representation of petitioner and take appropriate action as per law within a period of two months. Present petition has been filed by the petitioner alleging violation of order dated 11.07.2016. Order was passed on July 11, 2016. It appears, no tangible steps were taken thereafter by the investigating agency to comply with the order. Only after petitioner invoked contempt

jurisdiction of this court, investigation of the case made some headway. By now a final report has also been submitted before the competent court. However, in the said report it has been mentioned by the official that challan had been prepared in view of direction given by this court in instant contempt petition. This averment in the final report is apparently contumacious. It gives the impression as if the investigating officer presented the final report only because this court was seized of the matter in contempt jurisdiction. It also raises questions about the integrity of the investigation conducted. A perusal of the orders do not show that any direction, as stated by the investigating officer, was ever given by this court. Merely notice of the contempt petition was issued as petitioner alleged violation of order dated 11.07.2016, passed by coordinate bench. Under the circumstances, Senior Superintendent of Police, Patiala would look into the matter and apprise this court about the action proposed to be taken against the official for inserting factually incorrect statement in the final report under section 173 Cr.P.C.

As regards the main petition, no further direction is necessary. Suffice to say that trial court would be at liberty to examine the final report and act as per law.

With these observations, the petition is disposed of.

(RAJAN GUPTA)
JUDGE

June 06, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No