

**238 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-42115-2016
Date of decision: 07.08.2018**

Anjali @ Simparpreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition has been filed under Section 482 of the Code of Criminal Procedure as far back as 2016 for getting a fair and thorough enquiry in case FIR No. 186 dated 23.08.2016 under Sections 376, 323 IPC registered at Police Station City Faridkot with a further prayer for protection of life and liberty of the petitioner at the hands of respondent Nos. 5 & 6.

Notice of motion has been issued in this case and pursuant thereto a reply has been in Court today by way an affidavit of Jaspal Singh, Deputy Superintendent of Police, Investigation, District Faridkot.

I have heard learned counsel for the respondent-State as well as perused the pleadings on the record.

It may be noted that on the last two occasions, the petitioner

has not put in appearance.

The allegations as set out in the petition that FIR No. 186 dated 23.08.2016 was got registered under Sections 376, 323 IPC at Police Station City Faridkot against respondent Nos. 5 & 6, who were having great political influence. It was contended that it was on account of the influence that the police was not taking any action and the petitioner herein was being pressurised to compromise in the matter. It was further stated that the detailed representation dated 12.10.2016 had been given to the police, however, no action was taken on the same.

In the reply filed, it is stated that matter had been thoroughly investigated. The complainant Anjali @ Simarpreet Kaur was sent five different notices to join investigation, however, she did not appear despite the notices issued. The CDR of the complainant's mobile phone was also obtained and according to the said details, it was found that at the time of the alleged occurrence, the tower location of the complainant's phone was at a distance of about 20 kilometers from the mentioned place of incidence. Further investigation also reveals that the allegations set out by the complainant were not substantiated. As per the conclusion drawn by the DSP (Crime), offence under Sections 376, 323 IPC could not be proved in the abovesaid FIR and a conclusion was also drawn that further investigation must be carried out with deletion of Sections 376 & 323 IPC and taking action against Anjali @ Simarpreet Kaur, the complainant herself and several others, under Sections 167, 470, 471, 211, 182, 193, 120-B IPC. It was also noted that Gurjit Singh son of Paramjit Singh and Rajni Bala @

Khushi w/o Gurjit Singh stood discharged from the judicial custody in FIR No. 186 dated 23.08.2016 under Sections 376, 323 IPC registered at Police Station City Faridkot.

In view of the detailed reply that has been filed, no further orders are called for in the instant petition and the same is disposed of accordingly.

07.08.2018
Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes.
Whether reportable	No.