

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc. M 41805 of 2017 (O&M)
Date of decision: 25.9.2018

Dharmender

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 482 of the Code of Criminal Procedure for issuance of direction to respondents No. 1 to 3 to hand over case arising out of FIR No. 268 dated 10.9.2017 against respondents No. 5 to 9 to an independent agency for conducting an impartial and fair investigation.

Notice of motion was issued and in response thereof, reply has been filed by the Assistant Commissioner of Police, Pataudi Gurugram. A reading of the reply would reflect that the matter was investigated by the then Assistant Commissioner of Police, Pataudi Gurugram and during the said investigation Mr. Kailash son of Umrao and Ms. Imriti daughter of Umrao respondents No. 6 and 7 respectively were found innocent as no incriminating evidence came forth against them. However, there is

sufficient evidence against respondents No. 5, 8 and 9, namely, Rahul

(Husband), Umrao (Father-in-law) and Chandra Kala wife of Umrao (Mother-in-law) and, as such, Rahul was arrested and sent to judicial custody. Reply will also reflect that respondents No. 8 and 9 were also arrested on 14.12.2017 and the dowry articles have been recovered from them.

Mr. Chahar, learned counsel for the State submits that after completion of the investigation challan has been presented and on 27.3.2018 charges have been framed against the aforesaid respondents under Sections 304-B and 34 IPC and the prosecution evidence is going on.

I have heard learned counsel for the respondent—State and also perused the reply filed. In view of the fact that charges have been framed and prosecution evidence is being led, no further orders are called for.

The petition is disposed of accordingly.

25.9.2018

prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No