

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

Sr.No.249

CRM-M-49100-2017

Date of Decision:18.12.2018

Kamaljeet Kaur

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARVIND SINGH SANGWAN

Present: Mr.C.S.Jattana, Advocate
for the petitioner

Mr.Sidakmeet Sandhu, AAG Punjab

Mr.A.S.Sandhu, Advocate
for respondents No.7 and 8

ARVIND SINGH SANGWAN, J. (ORAL):

Prayer in this petition is for issuance of a direction to respondent No.2 to change the enquiry in FIR No.52 dated 05.06.2016 under Sections 452/380/323/427/506/148/149 IPC, registered at Police Station Smalsar, District Moga, FIR No.180 dated 01.11.2016 under Sections 452/323/508/427/148/149 IPC, registered at Police Station Baghapurana, District Moga, FIR No.158 dated 28.07.2017, under Sections 15/18/21/22/61/85 of the NDPS Act and 25/54/59 of the Arms Act, 1959 and Section 1 of the Punjab Excise Act, 1914, registered at Police Station Baghapurana, District Moga and FIR No.162 dated 01.08.2017 under Sections 399/402 IPC, registered at Police Station Baghapurana, District Moga to any independent agency. Prayer is also made for a direction to respondent No.2 and 3 to protect the life and liberty of the petitioner at the hands of respondents No.5 to 8.

Learned State counsel, on instructions from ASI Sikander Singh and on the basis of the affidavits filed by Deputy Superintendent of Police, Baghapurana, District Moga, and SHO Police Station Baghapurana, District Moga as well as HC Police Station Baghapurana, District Moga, has submitted that after concluding the investigation in FIR No.52 dated 05.06.2016 under Sections 452/380/323/427/506/148/149 IPC, registered at Police Station Smalsar, District Moga, the police has submitted a report under Section 173 Cr.P.C. before the Illaqa Magistrate. Learned State counsel further submits that regarding FIR No.158 dated 28.07.2017, under Sections 15/18/21/22/61/85 of the NDPS Act and 25/54/59 of the Arms Act, 1959 and Section 1 of the Punjab Excise Act, 1914, registered at Police Station Baghapurana, District Moga, the investigation is complete and police has prepared a cancellation report on 03.02.2018 and the same will be presented before the Illaqa Magistrate in due course. Learned State counsel further submits that the cancellation report will be submitted before the Illaqa Magistrate on or before 25.02.2019.

In view of the same, learned counsel or the petitioner submits that this petition be rendered infructuous with liberty to avail the remedy before the trial Court/Illaqa Magistrate in accordance with law.

Disposed of as infructuous, with liberty as aforesaid.

(ARVIND SINGH SANGWAN)
JUDGE

18.12.2018
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Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No