

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

CRM-M No.6208 of 2017 (O&M)

Date of decision: 13.12.2018

Anita Sharma

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of a direction to the official respondents to transfer the investigation of the case i.e. FIR No.38 dated 19.01.2015 registered under Sections 420/406/467/468/471/120-B of the Indian Penal Code (in short 'IPC') at Police Station City Yamuna Nagar, District Yamuna Nagar, to some other independent agency and to take appropriate legal action against the private respondents.

Reply by way of affidavit of the Deputy Superintendent of Police (Headquarter), Yamuna Nagar on behalf of respondents No.1 to 3 filed in the Court is taken on record and as per the reply, on account of non-availability of the original record regarding the allotment/possession letter, during the investigation no offence is found against the accused person and accordingly, the police has prepared the untraced report on 28.10.2018. Thereafter, when the report was sent to higher police officials, it was returned to conduct further investigation in the case and again during the investigation, no incriminating

evidence has come on record against the accused person. One of the suspect namely Hind Kumar, Secretary has died on 01.08.2018. It is, thus, further stated that again the untraced report was sent for approval and after seeking the approval, it has been submitted before the Illaqa Magistrate on 26.11.2018 and the same is now pending before the Court of Illaqa Magistrate and the Illaqa Magistrate has already issued a notice to the complainant.

In view of the above, no further action is required.

Disposed of accordingly. However, it will be open for the complainant to file a protest petition before the trial Court in accordance with law.

(ARVIND SINGH SANGWAN)
JUDGE

13.12.2018
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No