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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1026-2019

Date of decision-30.10.2019

Vinod Devi

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Robin Singh Hooda, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner-Vinod Devi has filed this petition under Section 482 Cr.P.C for issuance of directions to respondent Nos.2 to 4 for conducting fair and impartial investigation in case FIR No.36 dated 12.01.2017 registered under Section 302 read with Section 34 of Indian Penal Code, 1860 at Police Station Jhajjar, District Jhajjar.

On 03.04.2019, the following order was passed:-

“Mr. Sukhdeep Parmar, DAG, Haryana is directed to find out the status of investigation in case FIR No.36 dated 12.01.2017.

Learned counsel for the petitioner undertakes to supply three sets of the paper book.

Adjourned to 26.04.2019.”

Pursuant to the above said order, reply dated 06.08.2019 by way of an affidavit of Naresh Kumar, HPS, Deputy Superintendent of Police, Beri, District Jhajjar on behalf of respondent Nos.1 to 4 stands filed wherein

it is mentioned that after registration of the FIR No.36 dated 12.01.2017, the case was investigated by Daljeet Singh, HPS, Deputy Superintendent of Police, Jhajjar and during investigation it was found that place of occurrence/incident was found to be situated within the jurisdiction of Police Station Himat Nagar, Sambarkanta, District Gujarat. According to him, the alleged offence is to be investigated by the Gujarat Police.

At this stage, learned counsel for the petitioner submits that the investigation was not conducted by the Haryana Police and no such report has been filed by the Police before the competent Court of jurisdiction.

In response, learned State counsel has invited the attention of the Court to the communication dated 15.02.2017 by Superintendent of Police, Jhajjar and submitted that the entire case file containing pages 1 to 215 has been sent to the Office of Superintendent of Police, Sambarkanta, Gujarat for investigation.

In view of the above, this Court does not find any reason to invoke inherent powers under Section 482 Cr.P.C. The petition is dismissed.

However, it shall be open for the petitioner to pursue her remedy before the Court of competent jurisdiction.

(MANOJ BAJAJ)
JUDGE

30.10.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No