

122.

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

CRM-M-2369-2019

Date of decision:21.01.2019.

YASHODA YADAV

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rakesh Kumar, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of direction to respondents No.2 and 3 to initiate proper, fair and speedy investigation in FIR No.0039 dated 22.02.2017 registered under Sections 354-A, 354-D, 506 IPC and under Section 67 of Information and Technology Act, at Police Station Gharinda, District Amritsar Rural.

Learned counsel for the petitioner states that despite there being an order dated 10.01.2018 passed by this Court in CRM-M-36838-2017 titled as "Yashoda Yadav Versus State of Punjab and others", investigation in the case has not yet been completed. This Court had disposed of CRM-M-36838-2017 on 10.01.2018 while considering the reply submitted by way of affidavit of Amandeep Kaur, Deputy Superintendent of Police, Sub Division Attari, Amritsar Rural. In the reply, it had been submitted that challan against the accused Sanjeev Kumar was prepared on 22.12.2017 which is under scrutiny of the prosecution agency and the same shall be

presented in the court of learned Area Magistrate after completing procedural formalities and after getting prosecution sanction under Section 197 Cr.P.C. from the competent authority as the accused is a government employee. He states that despite the aforesaid order, challan has not been presented.

The virtual prayer of the petitioner made in the present petition filed under Section 482 Cr.P.C. is for issuance of directions to respondents No.2 to 3 to have fair and speedy investigation in the FIR No.0039 (supra).

Notice of motion.

At the asking of the Court, Mr. Tanvir Joshi, AAG, Punjab, accepts notice on behalf of the respondents.

Let requisite number of copies of paper book be given to learned State counsel during the course of the day.

Without observing anything on the merits of the case, the present petition is disposed of with a direction to the respondents to expedite the investigation and in case challan or cancellation report is to be presented, the same be presented preferably within a period of 6 months from today.

(HARI PAL VERMA)
JUDGE

21.01.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No