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

CRM-M-21658-2013 (O&M)

Date of decision:14.08.2019

KULWANT KAUR

... Petitioner

versus

STATE OF PUNJAB & ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

ASI Kirpal Singh.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 482 Cr.P.C. is for issuance of directions to the respondents to register an FIR against respondent No.4-HC Joginder Singh and his family members, and to hand over the investigation to some senior officer or some independent investigating agency.

No one is present on behalf of the petitioner.

Reply by way of affidavit of Digvijay Kapil, PPS, Deputy Superintendent of Police, Sub Division City Hoshiarpur, on behalf of respondents No.1 to 3 has already been filed in the case. Similarly, a separate reply by way of affidavit of respondent No.4-HC Joginder Singh has also been filed.

In the reply so submitted by respondents No.1 to 3, it has been stated that the Superintendent of Police (H), Hoshiarpur has conducted an enquiry into the allegations so made by the petitioner and has concluded that

respondent No.4 had withdrawn Rs.2,75,000/- from his GPF Account No.38756. He withdrew the said amount by wrongly stating his daughter's name as Mandeep Kaur and for the purpose of her marriage. The withdrawal is in contravention of the Police Rules and by giving a self-declaration, as his daughter's name is Harmanpreet Kaur and not Mandeep Kaur.

Considering the prayer so made by the petitioner, this Court finds that in view of judgment of Hon'ble Supreme Court in ***Sakiri Vasu Versus State of U.P. and others (2008) 2 SCC 409***, no such direction for registration of FIR can be issued by this Court under Section 482 Cr.P.C.

Dismissed.

However, for the relief claimed in the present petition, the petitioner is at liberty to avail the remedy(s) as available under law.

(HARI PAL VERMA)
JUDGE

14.08.2019

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