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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32158-2019

Date of decision-10.12.2019

Daljinder Kaur and another

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.K.Girdhar, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C for issuance of directions to official respondents to conduct fair and proper investigation of case in FIR No.0018 dated 26.01.2019 registered under Sections 302, 307, 341, 506 and 148 read with Section 149 of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Sadar, Tarn Taran and further it is prayed that the cross case set up by the accused through DDR No.16 dated 29.03.2019 registered under Sections 307, 148 and 149 IPC and Sections 25 and 27 of Arms Act be cancelled.

On 22.08.2019, the following order was passed:-

“Mr. Ramdeep Partap Singh, DAG, Punjab is directed to verify the status of the investigation in the present petition.

Learned counsel for the petitioner

undertakes to supply three sets of paper book.

Adjourned to 10.09.2019.”

In compliance of the above order, status report by way of affidavit of Ravinderpal Singh, PPS, Deputy Superintendent of Police, Sub Division Tarn Taran, District Tarn Taran, on behalf of respondent Nos.1 to 5 has been filed.

As per the FIR, Gurpreet Singh, Harpreet Singh @ Happy, Manpreet Singh @ Manna and Lucky along with others were going to village Manochahal then, Raja, Akash, Sukhpal Singh including others waylaid them and fired shots at them. In the said firing, Harpreet Singh @ Happy son of petitioner No.1 was killed whereas Manpreet Singh @ Manna was injured. Thereafter, FIR No.18 dated 26.01.2019 was registered and subsequently few more names were added through DDR No.21 dated 02.03.2019 on the basis of supplementary statement given by Gurpreet Singh. Learned State counsel has argued that the efforts are being made to arrest accused persons, however, despite issuance of arrest warrants they are still at large.

Learned State counsel has apprised the Court that the occurrence took place because of gang war. It is pointed out that the son of petitioner No.2, Bhagwan Singh was arrested by Police in case FIR No.44/2019 under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 25 of Arms Act, who is in jail and was arrested in the case on 01.04.2019 and one pistol was recovered from his possession.

During the course of hearing, learned counsel for the petitioners does not dispute this fact that the petitioners are neither the complainant of the FIR nor the witness of the occurrence. He submits that the petitioner No.1 is mother of victim Harpreet Singh and the FIR was lodged by Gurpreet Singh who is her nephew.

After hearing learned counsel for the parties and considering the pleadings, this Court does not find any reason to transfer the investigation as effective steps are being taken by the Police.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

10.12.2019
vanita

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