

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 2657 of 2019
Date of decision: 5.9.2019

Kavita @ Kavita Rani

.. Petitioner

v.

Rajiv Rattan and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J. S. Saneta, Advocate for the petitioner.
Mr. Sandeep S. Mann, Senior DAG, Haryana.

...

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 30.1.2019 passed by this Court in CRM-M-4364 of 2019. The operative part of the said order is reproduced below:

“Accordingly, the present petition is disposed of with a direction to State of Punjab to hand over investigation in the aforesaid FIR to a lady police officer not below the rank of Inspector and the investigation shall be completed without unnecessary delay, preferably within a period of 90 days.”

Reply dated 4.9.2019 by way of affidavit of Surinder Singh Bhorla, HPS, Superintendent of Police, Karnal filed in Court is taken on record. Copy thereof handed over to learned counsel for the petitioner. In

para No. 4 of the reply, it has been stated as under:

“4. That the investigation was handed over to Smt. Pooja Dabla, HPS, Dy. S. P. Panipat by S. P. Panipat, where file was sent by the order of Inspector General of Police, Karnal Range, Karnal in view of the direction of the Hon'ble High Court mentioned in para No. 1 above. Smt. Pooja Dabla, Investigating Officer also conducted thorough investigation and reached at the conclusion that there were contradictions in the statements of Raman (brother of Kavita petitioner) and Kavita herself as well as the contradictions in the statements of Raman and one Anish Sharma neighbourer. Rajiv Kumar HPS, Dy. S. P. Karnal as well as Pooja Dabla, HPS, Dy. S. P. CAW, Panipat, both Investigating Officers, held that the allegations leveled in the case were found untrue. Pooja Dabla, HPS, Dy. S.P. Mentioned that cancellation report had already been recorded on 30.11.2018 by SHO Police Station Sadar, Karnal.”

In view of the reply filed, learned counsel for the petitioner states that no cause of action survives for pursuing the present contempt petition, however, he seeks liberty to avail remedies available in accordance with law if aggrieved of the action of the respondents.

Disposed of as infructuous with liberty as prayed for.

(AVNEESH JHINGAN)
JUDGE

5.9.2019
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No