

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

**CRM-M No.13952 of 2020
Date of Decision :04.06.2020**

Sukhpal Kaur

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr. Parvinder Singh, Advocate for the petitioner.
Mr. Bhupinder Singh Beniwal, AAG, Punjab.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Vide this petition under Section 482 of Cr.P.C. petitioner-Sukhpal Kaur wife of Arshdeep Singh @ Bittu seeks protection for her life and personal liberty and also for her family. A direction is also prayed for to respondents No.1 to 3 to transfer the investigation of FIR No.0030 dated 10.03.2020, registered against her husband, under Section 307 of IPC and Section 25 of Arms Act, registered at Police Station Mehal Kalan, District Barnala (Annexure P-1) to any independent agency or Bureau of investigation, Punjab Police at Chandigarh (respondent No.4). For, the local police authorities are acting under the influence of the local political leaders and the complainant (respondent No.7)

Learned counsel for the petitioner in reference to FIR No.0030 dated 10.03.2020 (Annexure P-1) submits that Baljit Singh who happened to be the Inspector C.I.A, Barnala (respondent No.7) is not only the

complainant in the case but is also the Investigating Officer. Not just that, he submits that vide judgment dated 03.01.2017 (Annexure P-4), rendered by the Additional Sessions Judge, SAS Nagar, Mohali, husband of the petitioner was convicted in FIR No.75 of 22.04.2013 and was sentenced to undergo rigorous imprisonment for a period of five years. And significantly Baljit Singh (respondent No.7) also happened to be the complainant in the said case. Thus, in the given circumstances, he submits that petitioner and her husband have lost faith in the investigation process, and do not perceive free and fair investigation for themselves. He had even represented to respondent No.3, in this regard vide representation dated 08.05.2020 (Annexure P-6), but to no avail.

Given the nature of the issue involved and the order I propose to pass in the matter no formal notice is required to be issued to the respondents or to seek their response at this stage.

Thus, the petition is disposed of only with a direction to respondent No.3 that if indeed any such representation, as indicated above, is pending consideration the same shall be considered and dealt with within a period of 10 days from today. And appropriate order in accordance with law shall be passed.

(ARUN PALLI)
JUDGE

04.06.2020

Manoj Bhutani

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