

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.17181 of 2019
Date of Decision.10.02.2020

Ash Mohd

...Petitioner

Vs

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Sunita Gupta, Advocate
for the petitioner.

Ms. Trishanjali Chopra, AAG, Haryana.

-.-

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 482 Cr.P.C. with the prayer to issue direction to respondents No.2 to 4 to investigate the matter fairly and impartially in FIR No.72 dated 14.02.2019 registered under Sections 363, 366, 506 IPC at Police Station Ferozepur Jhirka, District Nuh, Mewat.

Briefly stated, the petitioner made a complaint in Police Station, Ferozepur Jhirka about kidnapping of his daughter namely Saikuna against eight persons. It was alleged that the accused Sakir is his son-in-law, who usually has a dispute against him. It was alleged that his daughter Saikuna had disappeared from the house about 8-10 days ago and her whereabouts were not known. He came to know from reliable sources that his daughter had been kidnapped in a vehicle by the said accused Sakir in connivance with others. Consequently, an FIR came to be registered, which was not being investigated. The petitioner herein prays for a thorough investigation in the said matter.

Notice of motion was issued, pursuant to which a reply has been filed by respondent No.1 by way of affidavit of Virender Singh, HPS, Deputy

Superintendent of Police, Errozepur Jhirka. It is stated that during the investigation, rough site plan of incident was prepared and statements of witnesses were recorded. The victim was recovered from the accused Sakir on 25.03.2019 and subsequently, she was medico legally examined in Civil Hospital, Nuh by the medical officer for FSL examination. The prosecutrix was also produced before the Illaqa Magistrate on 25.03.2019, who recorded here statement under Section 164 Cr.P.C. Thereafter the Investigating Officer verified the date of birth of the prosecutrix from Government Medical School, Khedli Khurd and as per the school record, her date of birth was found to be recorded as 17.03.2000 and she was major on the date of the incident. Section 376D of Indian Penal Code has been added in the present case and accused Saddam and Afsari were arrested. Accused Sakir was also arrested on 21.05.2019 and on completion of investigation, challan has been presented on 17.05.2019. As per the reply filed, others were not found involved in the present case, who were implicated in the FIR and were consequently kept in Column No.13.

Since the matter stands investigated and three accused have been arrested, with a challan having been presented as far back as 17.05.2019, no further orders are called for in the instant case. The instant petition stands disposed of. Needless to say, in case the petitioner herein is not satisfied with the investigation or with the challan that has been presented, he has remedy available to him, which he can avail in accordance with law.

(JAISHREE THAKUR)
JUDGE

February 10, 2020
Pankaj*

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