

115 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34546 of 2020

Date of Decision : 30.10.2020

Baljeet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harvinder Pal Singh Ghuman, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed alleging that the proper investigation is not being done in FIR No.120 dated 02.09.2020 registered under Sections 323,341,427,148 and 149 IPC at Police Station Bhadson, District Patiala.

Learned counsel for the petitioner argues that respondent No.3, who is Station House Officer of the police station is not investigating the FIR in a proper manner and the act of respondent No.3 prima facie shows that he has connived with the accused. As per the learned counsel for the petitioner, only bailable offences were mentioned in the FIR though, according to the petitioner, keeping in view the allegations alleged in the FIR, Sections 354-B, 452 and 376 of the IPC were also required to be mentioned.

Learned counsel for the petitioner further submits that for the said grievance, the petitioner had also approached the Senior Superintendent of Police, Patiala and had filed a representation prior to the registration of FIR on 24.08.2020 (Annexure P/2). Learned counsel for the petitioner further submits that even after the registration of the FIR, the petitioner has filed representation dated 08.09.2020 (Annexure P/4) to Senior Superintendent of Police, Patiala and the petitioner will be satisfied, at this stage, in case respondent No.2 is directed to decide these representations dated 24.08.2020 and 08.09.2020 (Annexures P/2 & P/4) in a time bound manner by passing an appropriate speaking order.

Mr. Sandeep Singh Deol, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition submits that he has no objection in deciding the representations dated 24.08.2020 and 08.09.2020 (Annexures P/2 & P/4) submitted by the petitioner with respondent No.2 in a time bound manner by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.2 is directed to decide representations dated 24.08.2020 and 08.09.2020 (Annexures P/2 & P/4) by passing a speaking order within a period of six weeks from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

October 30, 2020
aarti/naresh k.

(HARSIMRAN SINGH SETHI)
JUDGE

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