

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-6056-2014 (O&M)

Date of decision: 06.02.2020

Munisha Saini and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Satish Goel, Advocate for the petitioners.

Mr. Pawan Girdhar, Addl. AG, Haryana.

Mr. Deepak Thapar, Advocate for respondent No. 2.

Ms. Kamini Jaswal and Ms. Rani Mishra, Advocates
for respondents No. 5 to 7.

Mr. RP Daaria, Advocate for respondents No. 8 and 9.

Mr. JK Goel, Advocate for
Mr. Shrey Goel, Advocate for respondent No. 4.

RAMENDRA JAIN, J. (ORAL)

This civil writ petition under Articles 226/227 of the Constitution of India, has been filed by wife of deceased-accused, namely; Om Parkash @ Nanna (petitioner No. 6 herein), his sister-in-law, Urmila Devi, relative Sushil Kumar, for issuance a writ in the nature of mandamus directing respondent No. 1 to transfer investigation in case FIR No. 256 dated 29.07.2013 (Annexure P-8) under Sections 148, 149

and 302 IPC at Police Station Shahbad, District Kurukshetra, out of State of Haryana i.e. either to State of Punjab or UT Chandigarh, or any other independent investigation agency.

Accused-petitioner No. 6 Om Parkash @ Nanna, has expired. Therefore, this writ petition qua petitioners No. 1 to 3, who are related to deceased-petitioner No. 6, and petitioner No. 6 is dismissed as having been rendered infructuous.

As far as, petitioners No. 4 and 5, namely; Surjit Singh @ Bhana and Bal Kishan, is concerned, their connected petition bearing CRM-M-43764-2013, claiming almost similar relief has been dismissed by this Court, passing a detailed order of even date. Therefore, this writ petition qua petitioners No. 4 and 5 also stands dismissed.

Petitioner No. 7-Harjeet Singh, is absconding and has been declared a proclaimed offender. Petitioner No. 8-Bhushan Pal is his relative. Thus, the instant writ petition qua petitioners No. 7 and 8 also stands dismissed.

The detailed order of even date separately passed in connected CRM-M-43764-2013, Surjit Singh and another Vs. State of Haryana and others, shall also form part of this order.

February 06, 2020

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No