

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

**CRWP No.121 of 2021 (O&M)
Date of decision: 08.11.2021**

Reena Pandey and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Bhupinder Ghai, Advocate
for the petitioners.

Mr. K.S.Khaira, AAG, Punjab

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ANOOP CHITKARA, J. (Oral)

In this case, the petitioner had come up before this Court on the following three prayers.

“1) Issue an appropriate Writ, Order or Direction in the nature of mandamus directing the Respondents No.2 to 4 to protect the life and liberty of the petitioners, so that no harm or any injury be caused to them and their family members at the instance of respondents No.5 to 10 and their accomplices.

2) Further directing the Respondents No.2 to 4 to look into the representation dated 25.12.2020 submitted by the petitioners stating therein true facts and to take appropriate legal action there-upon as per law.

3) Further for transfer of investigation of FIR No.33 dated 12.02.2020, U/s 323, 341, 506, 34, 354-B of IPC, 1860 PS Dhakoli, SAS Nagar, Punjab (P-1) to some independent agency of the state i.e. Crime Branch or any other gazetted officer of the state outside district SAS Nagar, Mohali, so that fair and impartial investigation be got conducted, because the respondents No.5 to 11 have caused injustice to the petitioners upto utmost level”.

The State has filed the reply and the relevant portion is extracted as under:-

“In response to the same, it is most humbly submitted that the investigation of the present case/FIR stands concluded and report u/s 173 Cr.P.C. stands presented before the Ld. Court of competent jurisdiction. It is further submitted that no threat to the life and liberty of the petitioners has been assessed at the hands of respondent Nos. 5 to 10 and the petitioners have been levelling allegations against them in order to pressurize them and to obtain a favourable order from this Hon'ble Court. As regards the representation (Annexure P-6) is concerned, the same has been marked by the DGP, Punjab to the Director, Bureau of Investigation which is pending consideration in the said office and appropriate action shall be taken on the same, in accordance with law.”

Given this reply filed by the State, the only order, this Court proposes to pass is that the concerned authority should decide the representation dated 25.12.2020 by passing a speaking order within a period of one month and in case, the police officials want to conduct further investigation, then it should not be done by respondent No.6-SI Naib Singh.

With the aforesaid observation, this petition is disposed of.

(ANOOP CHITKARA)
JUDGE

08.11.2021
hemlata

Whether speaking/reasoned: Yes
Whether reportable: No