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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-2014-2021 (O&M)
Date of Decision: 22.11.2021

Kamlesh Kumari and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Bharat Puri, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this criminal writ petition under Article 226 Constitution of India for issuance of directions to respondents No.1 and 2 to protect their life and liberty from the hands of respondent Nos.5 to 7 and further directing respondent No.2 to conduct fair and impartial re-investigation in FIR No.281 dated 27.12.2020, registered under Sections 323, 324, 341 and 34 IPC, at Police Station Division No.7, Jalandhar and also to decide representation dated 12.02.2021 (Annexure P-4).

Learned counsel for the petitioners has argued that initially a case FIR No.0005 dated 22.01.2020, under Sections 323, 325, 506 and 34 IPC at Police Station Division No.7, Jalandhar (Annexure P-1) was registered against respondent Nos.5 to 7 in respect of the occurrence dated 12.12.2019, wherein the petitioners were injured, but after a long gap, a cross case has been set up by the accused through FIR No.281 dated 27.12.2020 (Annexure P-2), against the petitioners.

During the course of hearing, it is not disputed that the

occurrences contained in two FIRs are different, therefore, the FIR No.281 dated 27.12.2020 (Annexure P-2) cannot be construed as a cross case relating to the same occurrence, therefore, considering the nature of the offence mentioned in the FIR and the reply of the State that the investigation in the said case is in progress, no interference is called for, at this stage.

Dismissed.

22.11.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No