223

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.29393 of 2020(O&M)
Date of Decision: 08.03.2021

Harinder Kaur

.....Petitioner

Vs

State of Punjab and others

.....Respondent

CORAM: ***HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present: None for the petitioner.

Mr. Sarabjit Singh, AAG, Punjab.

****

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Learned State counsel filed reply by way of affidavit of Rajwinder Singh, PPS, Deputy Superintendent of Police, Zira, District Ferozepur, explaining the delay in the investigation of the case. The FIR was registered on 16.05.2013. During investigation of the case, the matter was compromised and therefore, cancellation/untraced report was prepared on 15.10.2013 and the same was approved by the then Deputy Superintendent of Police, Zira on 20.05.2015. In the meanwhile, the petitioner filed CRM-M No.23541 of 2015 in the High Court

PRINCE SAINI
2021.03.09 16:50
I attest to the accuracy and
integrity of this document

and following order was passed by the High Court on 17.11.2015:-

> "Learned counsel for the State on instructions from Head Constable Rajinder Kumar, Police Station Makhu, District Ferozpur, submits that initially there was a compromise between the private parties, therefore the Investigating Agency had prepared an untraced report. Now, the parties have backed out from the compromise. Therefore, the Investigating Agency would fairly and without any prejudice investigate the matter and take appropriate action in accordance with law.
>
> In view of the above, learned counsel for the petitioner does not press this petition, at this stage.
>
> Ordered accordingly.
>
> **November 17, 2015 (NARESH KUMAR SANGHI)**
> **anju JUDGE"**

In compliance of the aforesaid order, investigation was conducted. During investigation of the case, accused Gurmail Singh died on 25.12.2014. Accused Beant Singh also died on 25.07.2016. Challan was prepared on 15.01.2018. On checking of the challan by the District Attorney, some objections were raised viz-a-viz the statement of Manminder Singh. Objection was also in respect of obtaining copies of passport of Manminder Singh to get the signatures of the petitioner and Manminder Singh compared. Manminder Singh was residing abroad and he had joined the investigation only on 06.10.2020.

PRINCE SAINI
2021.03.09 16:50
I attest to the accuracy and
integrity of this document

After removal of the objections, challan has been presented on 24.11.2020.

In view of aforesaid proceedings, learned State counsel submits that the prosecution has dealt with the case diligently and this petition has become infructuous in view of challan submitted to the Court.

Since there is no representation on behalf of the petitioner, therefore this petition is disposed of in the light of aforesaid facts with a liberty to the learned counsel for the petitioner that in case, the facts recorded hereinabove are found to be otherwise, she may move an appropriate application for revival of the present petition.

Disposed of accordingly.

(RAJ MOHAN SINGH)
JUDGE

08.03.2021
Prince

Whether speaking/reasoned Yes/No

Whether reportable Yes/No

PRINCE SAINI
2021.03.09 16:50
I attest to the accuracy and
integrity of this document