

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

205

CRM-M-32645 of 2020
Date of decision: 15.03.2021

DimplePetitioner

VERSUS

State of Punjab and AnotherRespondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present:- Mr.Iswar Lal, Advocate, for the petitioner.

Mr.Prabhjot Singh Walia, AAG, Haryana.

Mr.V.K.Gupta, Advocate, for respondents No.6 and 9.

RAJESH BHARDWAJ, J. (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This petition has been filed under Section 482 Cr.P.C. praying for conducting the fair investigation in FIR No.49 dated 02.03.2020 for the offence under Sections 406, 498-A, 506, 354, 323 IPC.

Rejoinder has been filed by the petitioner and the same is taken on record.

In pursuance of the order passed by this Court, learned State counsel has filed a status report by way of affidavit of Sh.Gurvinder Singh, DSP Rajpura, District Patiala dated 21.12.2020. It has been mentioned in the affidavit that investigation has been thoroughly conducted and a report under Section 173 Cr.P.C. has already been prepared.

Today, Learned State counsel submits that *challan* has already been presented against the husband of the complainant and charge is also framed.

Learned counsel for the petitioner submits that Investigating Agency should have filed the *challan* against rest of the accused also and not only against the husband of the complainant.

Needless to say that view taken by the Investigating Agency cannot be substituted by this Court on the basis of simple allegations of the petitioner. However, the present petition is disposed of with liberty to the petitioner to seek her remedy in accordance with the provisions of the Code of criminal Procedure, 1973.

Disposed of accordingly.

(RAJESH BHARDWAJ)
JUDGE

15.03.2021
anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No