

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

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CRM-M-46087-2021

Date of decision : 02.11.2021.

Manjinder Kaur

... Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Case taken up through video conferencing.

The petitioner is seeking a direction for fair and impartial investigation in FIR No.71 dated 28.05.2021, under Sections 307, 506, 148, 149 IPC, Police Station Shirhali, District Tarn Taran.

Learned counsel for the petitioner contends that the police is not fairly investigating the matter and the correct statement of the petitioner under Section 161 Cr.P.C. has not been recorded. He prays for recording of the correct statement of the petitioner under Section 161 Cr.P.C. or 164 Cr.P.C.

Heard

A perusal of the material on record indicates that the husband of the petitioner has suffered two injuries on his head. The FIR was registered under Section 307 IPC and the injured is stated to have expired after 15 days of the occurrence and offence under Section 302 IPC has been added thereafter. Final report under Section 173 Cr.P.C. was presented under Sections 302, 307, 306, 148, 149, 323, 212 IPC wherein 15 persons have been named. It is also stated that five accused had given blows with *dangs* on the head of the injured.

Learned State counsel, upon instructions from ASI Dilbag Singh, states that earlier four persons were arrested and the challan was filed against them. Ten accused have been declared as proclaimed offenders. Thereafter, one accused has been arrested and efforts are going on to arrest the remaining accused.

In view of the above, I cannot doubt the fairness of the investigation at this stage and it would not be appropriate for this Court to issue direction for recording of the statement under Section 161 or 164 Cr.P.C. after filing of the challan. However, the petitioner would be at liberty to prefer an appropriate application before the trial Court and in the event of the petitioner doing so, it shall be decided in accordance with law.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

November 02, 2021

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No