

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

(108)

CRM-M-51435-2021

Date of Decision : December 17, 2021

Sushil Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Meena Bansal, Advocate, for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed by the petitioner with a grievance that proper investigation in FIR No.475 dated 27.11.2021 registered under Sections 302 and 34 IPC at Panchkula is not being undertaken, which is causing prejudice to the petitioner, who is the complainant as his daughter has lost her life.

Today, a status report has been filed by the Assistant Commissioner of Police, Headquarter Panchkula wherein, it has been mentioned that proper investigation is being undertaken in the FIR and husband of the deceased has been arrested. It has been further mentioned that keeping in view the investigation undertaken so far, offence under Section 302 IPC is not made out and has been deleted from the FIR but Section 498-A of the IPC has been added.

The said action of the investigating agency is being objected to by the petitioner saying that keeping in view the facts and circumstances of this case, Section 302 IPC is made out against the accused but the petitioner be given liberty to agitate the same along with other grievances before the Magistrate as and when the challan is presented by the police, in case, the petitioner has any grievance qua the said act even at that stage also.

Learned counsel for the respondent-State assures this Court that not only proper but free and fair investigation will be undertaken in the present FIR and the challan will be submitted before the competent Court of law within the time frame fixed.

Learned counsel for the petitioner submits that keeping in view the above, no grievance of the petitioner survives, at this stage and the petitioner does not wish to press this petition any further and the same may kindly be disposed of as such with liberty as prayed for.

Ordered accordingly.

December 17, 2021

harsha

**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes