

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13109-2022 (O&M)
Date of Decision:-7.7.2022

Kashmir Singh ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S. Jagpal, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Shawinder Singh.

GURVINDER SINGH GILL, J.(Oral)

The instant petition has been filed seeking issuance of directions to the official respondents to complete investigation and to present a final report under Section 173 Cr.P.C. in a case arising out of FIR No.40, dated 10.2.2020, Police Station City Malout, District Sri Muktsar Sahib, under Sections 302 and 120-B of Indian Penal Code.

This Court finds that the petitioner had previously also filed an identical petition i.e. CRM-M-39896 of 2021, which was disposed of by passing the following order on 27.9.2021:

“The petitioner has approached this Court seeking issuance of a direction to the official respondents to complete investigation pertaining to FIR No.40 dated 10.02.2020

registered at Police Station City Malout, District Sri Muktsar Sahib, under Sections 302/120-B IPC, and to submit a final report thereafter.

Learned counsel for the petitioner submits that the daughter of the petitioner was married to respondent No.4 on 15.04.2010. On 04.10.2019, the petitioner's daughter died in her matrimonial home. The private respondents i.e. her husband, father-in-law and mother-in-law claimed that the petitioner's daughter had died as she fell down from stairs. However, the complainant found that the deadbody of his daughter bore strangulation marks on her neck and that in fact even in the post mortem report the said marks were noticed and ultimately FIR No.40 dated 10.02.2020 registered at Police Station City Malout, District Sri Muktsar Sahib, under Sections 302/120-B IPC, came to be lodged at the instance of the petitioner's son.

Learned counsel has submitted that although a period of more than one year has been elapsed but police is not conducting effective investigation in the matter.

Having heard learned counsel for the petitioner and while refraining from making any expression as regards the averments made in the petition, the same is disposed of with a direction to Senior Superintendent of Police, Sri Muktsar Sahib (respondent No.2) to ensure that the matter pertaining to FIR No.40 dated 10.02.2020 registered at Police Station City Malout, District Sri Muktsar Sahib, under Sections 302/120-B IPC, is got investigated expeditiously, so that a final report is submitted thereafter at the earliest.

A copy of this order be conveyed to respondent No.2 i.e. Senior Superintendent of Police, Sri Muktsar Sahib, for necessary compliance.”

Learned State counsel, upon whom an advance copy of petition had already been served, has informed that investigation in respect of FIR No.40 dated 10.2.2020 already stands concluded and that a cancellation report has been prepared for the second time and the same has been put up before the Higher Authorities for its approval and shall be filed as and when approval is accorded for the same.

In view of the aforestated position particularly the fact that necessary directions had already been issued in a similar petition filed earlier and that investigation already stands concluded, no further directions are required to be issued in the instant petition.

The petition stands disposed off accordingly.

7.7.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No