

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

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CRM-M-31169-2017 (O&M)

Date of decision: 11.10.2022

SIMRANJEET KAUR

....Petitioner

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Kamalpreet Singh Bawa, AAG Punjab.

AMAN CHAUDHARY. J. (ORAL)

Present petition has been filed under Section 482 CrPC for transfer of investigation of case FIR bearing No.81 dated 02.05.2017, registered at Police Station City-I, Abohar under Sections 452, 323, 148 and 149 of the IPC to any other independent agency for proper investigation of the case.

Notice of motion in this case was issued on 24.08.2017. Pursuant to which, reply dated 18.09.2018 by way of affidavit of Gurbinder Singh, PPS, Deputy Superintendent of Police, Sub-Division, Fazilka has been filed.

Learned State counsel makes a reference to Para 2, 3 and 4, which read thus:-

“That it is submitted that the FIR in question was registered against the accused/private respondents No.4 to 10 on the statement of the petitioner/complainant Simranjeet Kaur. The allegations against the accused are that the accused entered the house of the complainant and caused injuries to Taranjeet Singh husband of the complainant.

As per the MLR of the injured Taranjit Singh, Taranjit Singh received five injuries in the occurrence. The accused

Davinder Singh attacked Taranjit Singh with his gandasi which hit Taranjit Singh at his forehead. The accused Vikram Singh attacked Taranjit Singh with his Kirpan which hit Taranjit Singh at the left side of his head. The accused Parminder Singh attacked Taranjit Singh with his datar which hit Taranjit Singh at his left leg. The accused Sheru attacked Taranjit Singh with his rod which hit Taranjit Singh at his right arm. The accused Davinder attacked Taranjit Singh with his gandasi which hit Taranjit Singh at his right arm. Since the injuries No.1 and 2 were declared as grievous by the Doctors vide letter No.1507/L dated 28.06.2017, so the offence u/s 325 IPC was added in the FIR in question vide DDR No.30 dated 06.07.2017.

3. That it is submitted that a cross-version case vide DDR No.33 dated 04.05.2017 u/s 354,323 IPC was registered against Mandeep Singh son of Suba Singh on the statement of Parbhnoor Kaur wife of Davinder Singh. The allegations against the accused of the cross case namely Mandeep Singh are that he assaulted the complainant of the cross-case namely Parbhnoor Kaur with intent to outrage her modesty and also caused injuries to her.

4. That the police has already arrested the accused/private respondents No.4,6,9 and they are now bail. The accused/private respondents No.5,7,8 and accused of the cross-version case namely Mandeep Singh could not be arrested inspite of best efforts of the police. The police is raiding at the possible hideouts of the said accused. The accused Shekky was found innocent during the investigation conducted so far.”

He further submits on instructions from ASI Gurnam Singh that Section 308 IPC has also been added vide rapat No.36 dated 09.05.2020 and challan stands presented on 19.05.2020, consequent thereto, charges have been framed and the trial is going on.

In view of the above, learned State counsel submits that the present petition has been rendered infructuous.

In view of the reply and the submissions made by the learned State counsel, no further order is required to be passed in this case.

Disposed of as having been rendered infructuous.

(AMAN CHAUDHARY)
JUDGE

October 11, 2022

S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No