

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

227

CRM-M-33841-2021

Date of Decision: September 23, 2022

Atma Ram

...Petitioner

Versus

State of Haryana & ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- None for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMAN CHAUDHARY, J.(Oral)

Prayer in the present petition under Section 482 Cr.P.C. is for issuance of direction to the respondents to transfer the investigation in case FIR No.86, dated 25.03.2021, under Sections 302 and 34 IPC, registered at Police Station Nissing, District Karnal, to independent probe agency like CBI/Crime Branch, Special Investigation Team in a time bound manner in the light of pending representation whereby the police officials have colluded with the nominated accused and are not making fair investigation but proceeded to give undue benefit to the accused persons.

Notice of motion was issued in this case on 20.08.2021, pursuant to which a reply dated 29.09.2021 by way of affidavit of the Deputy Superintendent of Police, Assandh, District Karnal, has been filed.

Learned State counsel refers to paragraphs 2 and 3, which read as under:-

“2. That the contents of para no.2 of the petition are wrong, incorrect and hence, denied. However, as per the Post-Mortem Report the cause of death has been reported by

the medical board as asphyxia due to hanging ante mortem in nature. Thus, the story put up in this para by the petitioner is unbelievable and afterthought.

3. *That the contents of para no.3 of the petition, it is submitted that as per the Post-Mortem Report it is apparent that the cause of death as reported in the medical report is asphyxia due to hanging and during investigation, it was found that death of the deceased is due to committing suicide and it was not the case of a murder as alleged in the FIR and accordingly, this case has been cancelled on 23.05.2021 after duly investigation in a fair and impartial manner.”*

Learned State counsel, on instructions from SI Sh. Bhagwan Dahiya, also submits that cancellation report has been submitted in Court on 15.12.2021.

In view of the above, learned State counsel submits that the present petition has been rendered infructuous and may be disposed of as such.

Disposed of as infructuous. However, the petitioner is at liberty to avail her alternative remedy in accordance with law.

September 23, 2022

monika

**(AMAN CHAUDHARY)
JUDGE**

Whether reasoned/speaking: Yes
Whether reportable: Yes