

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

**CRWP-10152-2020 (O&M)
Date of Decision:07.12.2022**

Seema Rani

...Petitioner

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : None for the petitioner.

Mr. M.S.Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

The case was listed on 22.11.2022 and was called twice. Still, no one had appeared on behalf of the petitioner and the case was adjourned to 02.12.2022. It was made clear that no further adjournment shall be granted.

On the adjourned date i.e. 02.12.2022, again the case was taken up but no one was representing the petitioner before the Court. Again, the case was adjourned to 07.12.2022 i.e. today, and it was made clear that in case, no one appears on behalf of the petitioner on the adjourned date, the matter shall be heard and decided on merits. The Registry was also directed to inform the learned counsel for the petitioner about the orders passed by this Court.

Today, the Registry has informed that the learned counsel for the petitioner has been informed through e-mail. Still the situation remains the same and no one has appeared on behalf of the petitioners.

In view of this, the main case is taken up for hearing for final disposal today.

I have heard learned State counsel and with his able assistance, I have gone through the records of the case.

In the main case, the prayer has been made to issue appropriate directions to respondents No.2 and 3 to take appropriate action against the private respondents and to order for proper and impartial investigation of the case bearing FIR No.105, dated 21.04.2020 under Section 306 of IPC, registered at Police Station City Fazilka and to arrest the accused persons in the abovesaid case.

A perusal of the record shows that status reports have been filed by the State of Punjab from time to time and the same were taken on record. Ultimately, a status report by way of affidavit of Deputy Superintendent of Police, Sub-Division, Fazilka dated 20.11.2022 has been filed and the same is taken on record.

Learned State counsel submits that to investigate the case and to consider all aspects of the matter including the video produced by father of the deceased, dying declaration of the deceased and to review the innocence of the accused Rajesh Aneja, the S.S.P. Fazilka had constituted a Special Investigation Team (SIT) vide order dated 18.09.2021 and the said SIT was headed by Superintendent of Police (Investigation) Fazilka. The SIT had conducted an indepth enquiry into the matter and submitted an enquiry report dated 03.11.2021. Rajesh Kumar Aneja was again found to be innocent and a report was submitted to the Competent Court in this regard. He further contends that Ashok Kumar, Sahil and Saroj were arrested in the instant case and the challan has already been presented against them in the Competent Court and after presentation of challan, the charges were ordered to be framed against all

the three accused on 07.11.2022. He further submits that co-accused, namely, Kalpana is yet to be arrested in the present case and the police is making all efforts to nab the absconding accused. He further submits that the prosecution moved an application under Section 319 Cr.P.C. for summoning Rajesh Aneja @ Raju Dairy Wala and Goldy Batra @ Sikandar S/o Subhash Chander as additional accused to face the trial and vide order dated 05.08.2022, Rajesh Aneja @ Raju Dairy Wala was summoned as an accused under Section 319 Cr.P.C. to face trial with the accused, who were already arrayed as an accused before the trial Court. Now, the case is listed for further prosecution evidence on 16.12.2022.

In view of the submissions made by learned State counsel, no further directions are required, at this stage as the trial has already progressed in this case.

With these observations, the present petition is disposed of.

Pending application, if any, is also disposed of.

(N.S.SHEKHAWAT)
JUDGE

07.12.2022
hemlata

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