

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

**CRM-M-52904-2021
DECIDED ON: 16th NOVEMBER, 2022**

JASWINDER KAUR AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Siddharth Gupta, Advocate
 for the petitioners.

 Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking issuance of direction to respondents No.1 to 4 to take appropriate legal action against respondents Nos.7 to 13 in case FIR No.0076 dated 15.11.2021, registered, under Sections 307, 148, 149 IPC, Sections 25 and 27 of Arms Act, 1959 at Police Station Ballianwali, District Bathinda; to hand over the investigation of the said FIR to any other senior official not less than the rank of Superintendent of Police and further to protect the life, liberty and property of the petitioners from private respondents, who are hand in glove with respondents No.5 and 6.

Vide order dated 08.03.2022, a Status report was called for from the State.

In pursuance to the same, a status report dated 19.08.2022 was

filed by way of an affidavit of Mr. Baljeet Singh, PPS, Deputy Superintendent of Police, Maur, District Bathinda.

A perusal of the said report makes it evident that the statement of the complainant/injured was recorded on 06.11.2021 and thereafter, FIR No.0076 dated 15.11.2021 was got registered under Sections 307, 148, 149 IPC, Sections 25 and 27 of Arms Act, 1959 at Police Station Ballianwali, District Bathinda. The spot was inspected on 16.11.2021 by the IO/SHO and statements of various persons as mentioned in para 3 of the status report were recorded, who categorically stated that they never heard any sound of fire arm shot. It is also evident that further investigation was conducted. After thorough examining the matter, now cancellation report has been prepared, which is to be submitted in the Court concerned after getting final approval from the competent authority.

It is an admitted case that the said cancellation report has not been challenged by the petitioners for the obvious reason that the same has not yet been supplied to them as it is pending with the competent authority for final approval.

Be that as it may, at this stage, this Court cannot interfere in the investigation process once the learned State counsel has categorically stated that a thorough investigation has been conducted as elaborated in the afore-said status report and the cancellation report has been prepared which shall be sent to the Court immediately once it is approved by the competent authority.

Keeping in view the totality of the facts, this Court is fully convinced on the reasons mentioned hereinabove, the present petition

deserves to be dismissed as having been rendered infructuous.

Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

16th NOVEMBER, 2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>