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

CWP No.4415 of 2017 (O&M)

Date of Decision: 07.04.2022

RAMANJIT KAUR

.....Petitioner

Versus

STATE OF U.T CHANDIGARH AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Pawan Kumar, Senior Advocate with
Mr. Karan Bhardwaj, Advocate,
for the petitioner.

Mr. Deepinder Brar, Addl. P.P. for U.T.
for respondent Nos.1,3, 4 and 5.

Mr. Shubhra Singh, Advocate and
Ms. Meghna Malik, Advocate,
for respondent No.2-CBI.

None for respondent No.6.

Mr. R.S. Manhas, Advocate,
for respondent No.7.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing that the investigation in FIR No.14 dated 09.02.2017 registered under Sections 307, 34 IPC (Section 302 IPC added later on) at Police Station, Chandigarh (Annexure P-1), in which the son of the petitioner has been involved, be entrusted to respondent No.2-Central Bureau of Investigation, for further investigation, with certain other prayers made in the present petition.

Learned counsel for respondent No.7 has submitted that the trial in the case; qua the co-accused; is already over and he has been convicted, vide judgment dated 18.11.2019. The son of petitioner has been a proclaimed offender since beginning. There is absolutely nothing wrong with the investigation as such.

As a counter to this, learned counsel for the petitioner has responded by submitting that the FIR was registered at the behest of respondent No.6, who happened to be an Ex. Chief Minister of Himanchal Pradesh. Even, the son of the petitioner has gone missing. The police are not even finding the whereabouts of the son of the petitioner.

In view of the above, this Court does not find any ground to interfere in the petition. Even if the son of the petitioner has gone missing, as stated by learned counsel for the petitioner, that may give cause of complaint to the petitioner in some different proceedings for a different purpose, however, the said fact cannot be made basis, *per se*, for transfer of investigation of the present murder case, in which the son of the petitioner is alleged to be involved, to CBI.

In view of the same, the present petition is dismissed.

However, if the petitioner is having any other grievance qua the alleged disappearance of her son, she would be at liberty to avail any other remedy, but in accordance with the law.

CM-17814-CWP-2018

This is an application for impleading the father of deceased/victim as respondent No.8.

Since, the main case itself is dismissed today, therefore, the present application has been rendered infructuous and is disposed of as such.

All pending miscellaneous applications are also disposed of as such.

(RAJBIR SEHRAWAT)
JUDGE

07.04..2022
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No