

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

CRM-M No.6236 of 2023

Date of decision: 8th February, 2023

Baljit Kaur & another

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R. Kartikeya, Advocate for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are invoking the inherent jurisdiction of this Court under Section 482 Cr.P.C. for issuance of directions to the official respondents not to harass them and their family in respect of case bearing FIR No.187 dated 10.12.2022 under Section 307 IPC, Section 16 of the Unlawful Activities (Prevention) Act, 1967 and Section 3 of the Explosive Substances Act, 1908 registered at Police Station Sirhali, District Tarn Taran.

Learned counsel inter alia contends that the son of petitioner No.1, Yadwinder Singh, who is an accused in the above mentioned FIR, has not been staying with them for the last many years and still further has been disowned by them on 04.01.2023. Hence, it is totally unjustified that the police should be raiding their house and that of their relatives for no rhyme or reason. It has also been urged that since a tainted and misdirected investigation is being carried out by the police, directions be issued to the respondents to carry out investigation fairly and impartially and their life and liberty be also protected.

I have heard learned counsel for the petitioners and perused the relevant material on record.

A mere bald allegation that the investigating agency was carrying out a tainted investigation and harassing the petitioners and their family in case FIR No.187 dated 10.12.2022 under Section 307 IPC, Section 16 of the Unlawful Activities (Prevention) Act, 1967 and Section 3 of the Explosive Substances Act, 1908 registered at Police Station Sirhali, District Tarn Taran, cannot be a ground for issuance of directions as prayed for. Investigation of a crime falls within the exclusive domain of the investigating agency. The police is well within their rights to join any such person who may be required by them during the investigation by following the procedure as established by law. As a sequel to the above, no ground is made out to entertain the present petition which accordingly stands dismissed.

At this stage, learned counsel for the petitioners submits that husband of petitioner No.1 was kept in illegal detention from 26.12.2022 to 30.12.2022 by the investigating agency.

Petitioner No.1 is at liberty to avail of alternate remedy as may be available to her in accordance with law with respect to the alleged illegal detention of her husband.

(MANJARI NEHRU KAUL)
JUDGE

February 8, 2023
rps

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