

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

**CRM-M No.5727 of 2023 (O&M)
Date of Decision: 02.08.2023**

Harjinder Kaur

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Surinder Singh Saini, Advocate for the petitioner.

Mr. Viney Phogat, DAG, Haryana for respondent Nos.1 to 5.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) for issuance of directions to respondent Nos.1 to 5 to conduct the proper investigation in FIR No.0675 dated 24.09.2022, under Section 306 of the Indian Penal Code, 1860, registered at Police Station Sector 32-33, District Karnal.

(2) Reply by way of affidavit dated 28.07.2023 of Sh. Sunil Kumar, DSP, Guhla, along with Annexures R-1 & R-2, already filed in the Registry, is taken on record. Copy thereof supplied to the opposite side. Para 5, 6 & 7 of the aforesaid affidavit read as under:-

“5. That on 19.12.2022, vide receipt no.8004/peshi/dated 17/12/2022, an application of Harjinder Kaur/petitioner was received in PP Sector-9 Karnal. On 24.01.2023 an

application was moved before the Ld. Trial Court for obtaining production warrant of accused Parveen Kumar, as he was confined in District Jail Karnal in FIR No.688 dated 27.09.2022 u/s 406, 420, 467, 468, 471, 120-B, IPC, PS: Sector 32-33 Karnal and the production warrant was issued for 30.01.2023.

- 6. That on 28.01.2023 on receipt of order No.118-120 dated 19.01.2022 from SP Karnal, the file of case for further investigation was sent to Sub Inspector Anil Kumar, Incharge Detective Staff Karnal. On 30-01-2023 the accused Parveen Kumar could not join in the investigation because he was not produced in the Court.*
- 7. That under the orders of IG, Karnal Range, bearing Endorsement No.325-2/CCIGP-Karnal dated 01.02.2023 (Annexure R-1) the investigation file was sent from District Karnal to District Kaithal for further investigation. On this, S.P. Kaithal vide his order No.8914-16 dated 23.02.2023 constituted SIT for investigation of case under the Chairmanship of DSP Guhla. SHO P.S. Guhla and ESI Shamsheer Singh No.341/Kaithal were appointed as Members of SIT. On 27.02.2023, the file was pursued by Sunil Kumar DSP, Guhla. During investigation, on 21.03.2023, notices were sent to Sanjay Rana son of Om Parkash r/o Pawa Mohalla, Kunjpura and Parveen Kumar son of Gian Chand r/o Sardarpur, P.S. Ghauranda to join the investigation on 22.03.2023, but they did not join in the investigation. Thereafter, on 22.03.2023 again notices were sent to Sanjay Rana son of Om Parkash r/o Pawa Mohalla, Kunjpura, Parveen Kumar son of Gian Chand r/o Sadarpur, Kanwar Pal Rana son of Sukhbir Singh r/o Gali No.6, RK Puram Karnal, Rohtash alias Jony Rana son of Rajinder Rana r/o Uchana, Balbir son of Sube Singh r/o Prem Khera, District Karnal, Krishan Kumar son of Pala Ram r/o Gudda, District Karnal and Chier Manager Legal of IndiaBulls Housing Finance Company Karnal to join the investigation. On 24.03.2023 Kanwar*

Pal Rana, Rohtash alias Jony Rana with the respectable came to the Police Station and they were joined in the investigation. On 24.03.2023 complainant Harjinder Kaur wd/o Naresh/deceased along with her Advocate and Sanjay Rana came to the Police Station and produced a photocopy of Affidavit, along with her statement in writing regarding the compromise with accused Sanjay Rana and Parveen Rana, who in her statement stated that accused Parveen Rana and Sanjay Rana named in the FIR, have assured her that they are innocent and she does not want any action against them. The statement of complainant and photo copy of compromise was placed on record and accused Sanjay Rana, named in the FIR was joined in the investigation.”

Perusal of above extract clearly reveals that now investigation has been handed over to a Gazetted Officer of District Kaithal.

(3) In view of the above, this Court does not find any justification to keep the matter pending.

(4) Consequently, the present petition is disposed off with the direction that Investigating Officer shall proceed in the matter expeditiously in accordance with law. After completion of the investigation, compliance report be sent to the Registry.

(5) Pending application(s), if any, shall also stand disposed off.

August 2nd, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No