

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

130

CRM-M-10441-2023

Date of Decision: 25.05.2023

Rajni

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

This is a petition under Section 482 Cr.P.C. for issuance of directions to respondent No.2 for taking action against respondent No.4 on the complaint in FIR No.513 dated 15.12.2022 filed by the petitioner.

Learned counsel for the petitioner submits that the investigation relating to the allegations made by her of rape have not been properly conducted by the respondents. It was specifically alleged that the rape was committed in the car but no recovery of the car was made nor the site plan was added in the charge-sheet. The petitioner also moved an application under Section 166-A IPC against the officers but no action was taken and hurriedly, the challan has been filed. Respondent No.4-Investigating Officer is present in Court and states that the accused was granted anticipatory bail by this Court on the statement made by one SI Satbir Singh who had appeared in place of respondent No.4. The Investigating Officer states that wrong statement was made by SI Satbir Singh about the statement recorded

under Section 164 Cr.P.C. of the petitioner as well as of the involvement of the concerned accused resulting in anticipatory bail being granted by this Court.

Learned State counsel submits that he will take appropriate steps for getting the bail cancelled which was granted on wrong facts.

As the charge-sheet has already been filed, the grievances which the petitioner seeks to raise with regard to the proper investigation ought to be placed before the concerned Magistrate, who would have the power to direct further investigation and directing the police to file a supplementary charge-sheet.

Accordingly, the aforesaid liberty is granted to the petitioner and the present petition is disposed of.

25.05.2023*D.Bansal***(SANJEEV PRAKASH SHARMA)
JUDGE**

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