

In the High Court of Punjab and Haryana at Chandigarh

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2023:PHHC:079914

CRM-M-28835 of 2023

Date of Decision: 01.06.2023

Jasdeep Kaur

---Petitioner

versus

State of Punjab and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Gagandeep Singh Virk, Advocate
for the petitioner

Ms. Guramrit Kaur, DAG, Punjab
Assisted by HC Baljinder Singh

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through the instant petitioner under Section 482 Cr.P.C. is seeking direction to respondents to conduct re-investigation/further investigation in FIR No.97 dated 27.04.2023, under Sections 406 and 498-A of IPC, registered at Police Station Division No. 5, Ludhiana, District Ludhiana.

2. Learned counsel for the petitioner inter alia contends that investigating officer has not registered FIR under appropriate Sections of IPC and further failed to register FIR against father-in-law i.e. Bablir Singh.

3. Learned State counsel, who on advance notice is present in Court, submits that police has conducted preliminary inquiry wherein Balbir Singh was not found involved in commission of

alleged offence that is why FIR was not registered against him. The police is further conducting investigation and police report under Section 173 Cr.P.C. would be filed invoking appropriate provisions of IPC as well as other applicable laws.

4. I have heard learned counsel for the parties and perused the record.

5. The petitioner has remedy to file protest petition as well as complaint if he is not satisfied with the investigation conducted by police. Police has yet not completed investigation. The investigating officer will invoke applicable provision if during the course of investigation he finds that offence has been committed punishable under particular provision of the IPC or any other law.

6. On being confronted with the aforesaid fact, learned counsel for the petitioner seeks permission to withdraw the instant petition with liberty to raise all pleas before the trial court at appropriate stage.

7. Dismissed as withdrawn with liberty as aforesaid.

(JAGMOHAN BANSAL)
JUDGE

01.06.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No