

112

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

CRM-M-29588-2023

Date of decision : 03.07.2023

Jasbir Kaur

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S.Mann, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner-Jasbir Kaur has filed this petition under Section 482 Cr.P.C for issuance of directions to the respondent Nos.1 to 4 to take appropriate legal action on the representation dated 15.02.2023 (Annexure P-3) filed by her for impartial investigation in case FIR No.0140 dated 17.09.2022 (Annexure P-1) registered under Sections 279, 337, 338, 427 and 304-A Indian Penal Code, 1860 at Police Station Verowal, District Tarn Taran, Punjab.

Learned counsel has argued that the petitioner's husband, namely, Fateh Singh along with his nephew Onkar Singh @ Vicky had gone to Amritsar on 16.09.2022 to buy vegetables, who were chased by the accused persons, namely, Harjinder Singh @ Gandhi, Mangal Singh, Jagjit Singh @ Jagga and Surjit Singh. He further submits that the accused were armed with revolver, baseball bats and other sharp edged weapons and had caused injuries to Fateh Singh. Learned counsel submits that when Onkar Singh @ Vicky (nephew of Fateh Singh) raised alarm, the accused persons fled away.

According to learned counsel, the police has not properly examined the occurrence and is not carrying out the investigation properly, therefore, the interference is warranted by this Court.

After hearing learned counsel and considering the submissions, this Court finds that the petitioner was not present at the place of occurrence where her husband suffered injuries and even in the FIR the name of Onkar Singh @ Vicky (nephew of Fateh Singh) is not mentioned. According to the contents of the FIR, the victim suffered injuries as a result of accident and the stand of the petitioner that death of her husband was homicidal is not supported with any convincing material.

During the course of hearing, it is not disputed by learned counsel that the FIR was lodged at the instance of the petitioner, wherein she alleged that upon receiving a call from her husband's mobile phone an unknown caller informed her that the person is lying injured because of accident, whereupon the complainant reached at the spot along with her son-Amritpal Singh and took the injured to the hospital.

At this stage, learned counsel for the petitioner has pointed out that in the representation dated 15.02.2023 (Annexure P-3), respondent No.5-Harjinder Singh had also implicated petitioner's son in a criminal case for alleged commission of offence punishable under Section 376 IPC, therefore, it is specifically mentioned that the accused named in the representation committed murder of petitioner's husband.

Concededly, the investigation in the subject FIR is pending, therefore, at this stage, this Court without meaning any expression of opinion on the merits of the case is not inclined to exercise inherent powers under

Section 482 Cr.P.C.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

03.07.2023
vanita

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