

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31675-2022

Date of Decision :- 05.09.2023

Kanta

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Bikram Chaudhary, Advocate
for the petitioner.

Mr.Munish Sharma, DAG, Haryana
for respondents No.1 to 5.

Mr.Jitender Dhanda, Advocate
for respondents No.6 to 8.

SUVIR SEHGAL, J. (ORAL)

1. By way of present petition filed under Section 482 Cr.P.C., petitioner has *inter alia* sought direction for transfer of complaint dated 24.12.2021, Annexure P2, moved by her alleging murder of her husband by the private respondents to CBI or to higher police officials.

2. In response to notice issued to the respondents, status report has been filed by way of affidavit of Superintendent of Police, Hisar (respondent No.4), wherein it has been submitted as under:

“4. That thereafter the complainant/petitioner Kanta submitted a complaint dated 24.12.2021 (P-2) and P-3 in the

office of answering deponent, which was marked to Deputy Superintendent of Police, Detective, Hisar. The enquiry officer conducted necessary enquiry into the complaint by joining the respectable persons of the village and recorded their joint statement and submitted his report dated 27.1.2022. As per report of enquiry officer, it reveals that the death of Sachin husband of complainant/petitioner Kanta was occurred due to injuries received by falling on cooler stand and on wooden sticks. Proceedings under Section 174 Cr.P.C. was conducted and after postmortem the dead body was handed over to his legal heirs. After death of Sachin, the re-marriage of complainant Kanta was solemnized with cousin brother of deceased Sachin on 16.08.2020 and she has resided with her in-laws only up to 2.11.2021 and thereafter she went to her parental house with children and thereafter she started to give complaints against the private respondents. There was dispute over distribution of property and the complainant has been found submitted to put pressure over members of in-laws i.e. Jagdish etc. During enquiry into complaint, the allegations levelled in the complaint were found false, hence the same was filed by the competent authority i.e. the then DIG-cum-Superintendent of Police, Hisar on 2.2.2022. True translated copy of report dated 27.1.2022 of DSP Detective, Hisar is annexed as Annexure R-2.

5. *That it is worthwhile to mention here that the*

complainant/petitioner Kanta has submitted a complaint dated 11.11.2021 to the Station House Officer, Police Station, Adampur levelling allegations for not yielding the share in the property/land and there was no allegation of murder of her husband but later on she tendered another application that the matter has been compacted (sic compromised) in the panchayat and she does not want any action and wants to file her complaint. True translated copy of complaint dated 11.11.2021 and application for withdrawing the complaint is annexed as Annexure R-3.

6. *That the petitioner/complainant has submitted the present complaint dated 24.12.2021 afterthought after a gap of 2 years which clearly shows that the petitioner is tendering the complaints against the private respondents for harassing them only to grab property and extort money. The allegations levelled in the complaint has been found false and no further action is required to (sic be) taken in this matter/complaint.”*

3. In view of the above, this Court is *prima facie* satisfied that the complaint and representation submitted by the petitioner two years after the death of her first husband, is motivated.

4. There is no merit in the petition, which is hereby dismissed.

05.09.2023
Brij

(SUVIR SEHGAL)
JUDGE

Whether reasoned/speaking
Whether reportable

:
:

Yes/No
Yes/No