

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

**CRM-M-37703-2022  
DECIDED ON: 24.01.2023**

**USHA**

**.....PETITIONER**

**VERSUS**

**STATE OF HARYANA AND OTHERS**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.**

Present: Mr. Shailender Singh Gill, Advocate  
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

Mr. Vivek Singla, Advocate  
for respondents No.6 and 7.

**SANDEEP MOUDGIL, J (ORAL)**

Petition under Section 482 Cr.P.C., for directing respondents No.1 to 3 to conduct fair and proper investigation in case FIR No.83, dated 01.04.2022 (Annexure P-1), under Sections 302, 34 of the IPC, registered at Police Station Safidon City.

In pursuance of the order dated 19.12.2022, learned counsel for respondents No.6 and 7 states that FSL and polygraphic test have been conducted, wherein nothing adverse has been found against accused-respondents No.6 and 7.

Learned State counsel has filed the status report dated 21.01.2023, by way of an affidavit of Ashish Kumar, Deputy Superintendent of Police, Safidon, District Jind, on behalf of respondents No.1 to 5 and the same is taken on record, wherein in paragraph Nos.5 and 6, the proceedings

and the culmination of investigation have been stated as under:-

*“5. That on 11.01.2023, polygraph examination reports dated 06.01.2023 was received by the SIT and the perusal of which transpire that no incriminatory evidence could be brought out against them/ accused. Further during the course of investigation of the case no incriminatory evidence/no circumstantial or supporting evidence came against accused namely Smt. Sunita wife of deceased Parveen Kundu and Kanwal son of deceased Parveen Kundu, resident of Safidon, District Jind, on the basis of which it could be termed that they have committed that murder of deceased Parveen Kundu or they were having hands in the death of deceased Parveen Kundu and they could be prosecuted in the court of law. Upon which the SIT sent the case file to Station House Officer, Police Station City Safidon for preparing cancellation report in this case.*

*6. That, on 13.01.2023 cancellation report was prepared in this case by the Station House Officer, Police Station City Safidon. Further on 18.01.2023, the cancellation report was filed in the concerned court. Since cancellation report of the case has been filed in the concerned court then if the petitioner is having any grievances qua investigation of the case then she can avail alternative remedies available to her.”*

In view of the averments and the deposition of official respondents No.1 to 5, particularly in the light of the fact that the cancellation report was prepared on 13.01.2023, which was further filed in the concerned Court on 18.01.2023, the present petition has been rendered infructuous, and the petitioner also does not want to pursue any further and, thus, prays to withdraw the same with liberty to take all such pleas before the competent Court at an appropriate stage.

Allowed as prayed for.

Dismissed as withdrawn with liberty aforesaid.

(SANDEEP MOUDGIL)  
JUDGE

24.01.2023

Poonam Negi

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |