

In the High Court of Punjab and Haryana at Chandigarh

114-2

CRM-M-34686 of 2022

Date of Decision: 28.02.2023

Chandni

---Petitioner

versus

State of Haryana and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Tanmoy Gupta, Advocate
for the petitioner

Ms. Dimple Jain, AAG, Haryana

JAGMOHAN BANSAL, J. (ORAL)

The petitioner through the instant petition under Section 482 Cr.P.C., is seeking direction to official respondents to hand over investigation of FIR No. 87 dated 08.07.2022, under Sections 148, 149, 323 and 506 IPC and Section 10 and 12 of POCSO Act, registered at Women Police Station, Ballabgarh, District Faridabad to State Crime Branch, Faridabad, Haryana or to some other independent agency.

Learned counsel for the petitioner inter alia contends that police has registered the aforesaid FIR against private respondents, however, no action has been initiated against the private respondents.

As per status report dated 12.10.2022 filed by State, the private respondents were arrested and thereafter released on bail. The police has completed the investigation and thereafter filed challan

against six persons on 02.09.2022 and challan against juvenile Sonu was filed on 01.09.2022. The matter is now fixed before the trial court for consideration of charge and next date before trial court is 22.03.2023. Learned State counsel further submits that there is no lapse on the part of police officials, thus, allegations of petitioner are unfounded.

Learned counsel for the petitioner, on being confronted with this fact submits that from the perusal of enclosed video, it is quite evident that police officials forcibly picked up family members of the petitioner. They have picked up even seven years old minor daughter of the petitioner.

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

The police has completed investigation qua FIR and challan stands presented, thus, no order qua aforesaid FIR is warranted.

With respect to allegation of the petitioner that police officials have misused their position, the petitioner is at liberty to approach Haryana State Police Complaint Authority with respect to her grievance against police officials. If the petitioner files complaint before the said authority, this Court is sanguine of the fact that said authority would look into grievance of the petitioner and take appropriate steps in accordance with law for the redressal of grievance of the petitioner.

The petitioner is further at liberty to avail appropriate remedy in accordance with law, if she feels that her grievance has not been redressed.

Disposed of.

(JAGMOHAN BANSAL)
JUDGE

28.02.2023

paramjit

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No