

2023:PHHC:100108

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

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CRM-M-37821-2023 (O&M)

Date of Decision: 03.08.2023

SANTOSH RANI

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Kuljit Singh, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of directions to the official respondents to complete the investigation in FIR No.185 dated 23.12.2020 registered under Sections 116 and 506 IPC and Section 306 IPC (added later on), at Police Station Bahavwala, District Fazilka.

Learned counsel for petitioner submits that , though, complainant-Atma Ram (son of the petitioner) has expired on 29.01.2021, yet the fact remains that the Police officials have not taken any action against the accused persons till date.

Notice of motion to respondents No.1 to 3-State only, at this stage.

On the asking of this Court, Mr. CL Pawar, Additional AG Punjab, accepts notice on behalf of respondents No.1 to 3-State only. He, on the instructions from ASI Lakhwinder Singh, submits that since the accused persons have filed a petition for quashing the FIR on the basis of compromise, the investigation is not being carried further.

At this stage, learned counsel for the petitioner submits that no compromise was ever effected by the petitioner or his deceased son with the accused and that the police concerned is sitting over the matter and siding the accused persons. He, thus, argues that the investigating agency be directed to initiate the investigation and conclude the same, at the earliest.

I have heard the learned counsel for the parties.

The FIR in question was registered on 23.12.2020. Atma Ram is the complainant therein, who has committed suicide on 29.01.2021. The petitioner herein is the mother of Atma Ram (since deceased).

In view of the above, the petitioner is directed to appear before the Investigating Officer i.e. ASI Lakhwinder Singh within 10 days from today or any other date convenient to the said Officer and get her statement recorded.

Respondent No.2-Senior Superintendent of Police, District Fazilka, is directed to issue directions to the officials concerned to initiate the investigation in FIR No.185 dated 23.12.2020 and conclude the same at the earliest, after recording the statement of the petitioner.

Disposed of in the above terms.

03.08.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No