

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

225

CRM-M-48797-2021

Date of Decision: 18.05.2023

Damanpreet Kaur

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Vivek K. Thakur, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

Mr. Sahil Puri, Advocate
for respondents No.4 to 9.

SANJEEV PRAKASH SHARMA, J (ORAL)

This is a petition under Section 482 Cr.P.C. for directing respondents No.1 to 3 for taking action against private respondents No.4 to 9.

Learned counsel for the petitioner submits that fair investigation ought to have been conducted by the police authorities and FIR No.112 which was registered on 08.10.2021 under Sections 328, 498-A, 406 and 120-B IPC, is still pending investigation and twice they have conducted the investigation and now a third investigation is being conducted by the Superintendent of Police, Hoshiarpur.

Learned State counsel submits that the investigation was changed at the behest of the petitioner himself who moved an application for further investigation before the higher authorities. It is stated that the petitioner was dissatisfied with the investigation conducted by the Deputy

Superintendent of Police and therefore, Superintendent of Police has decided to conduct the investigation afresh.

Learned counsel appearing for respondents No.4 to 9 submits that he filed a petition under Section 482 Cr.P.C. for quashing of the FIR which was withdrawn, with liberty to file fresh one after the challan is filed. He also has certain grievances with regard to the incident.

After having heard learned counsel for the respective parties, this Court is of the opinion that so far as the accused in the FIR concerned, they have independent remedy available to them under Cr.P.C. for redressal of their grievances. It is also to be noted that they had challenged the FIR, but the same was withdrawn.

So far as Investigating Officer is concerned, he is required to conduct investigation efficiently and submit his report within a reasonable time. In cases like the present, it is all the more necessary that the concerned Superintendent of Police should file his report, if still any grievances of the petitioner remained to be redressed, the remedy is already available to move an application before the Area Magistrate after the charge-sheet has been filed.

In the circumstances and the facts which have come on record, the Superintendent of Police, Hoshiarpur is directed to finalize the investigation as soon as possible, preferably within a period of one month and proceed accordingly.

With the above directions, the present petition is disposed of.

18.05.2023

D.Bansal

(SANJEEV PRAKASH SHARMA)
JUDGE

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