

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

265

CRM-M-49308-2019 (O&M)

Date of decision: 10.08.2023

Harjinderpal Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. JS Dhaliwal, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

Mr. Shagun Thapar, Advocate for

Mr. Hitesh Verma, Advocate for respondents No.4 to 8.

AMAN CHAUDHARY, J

1. This petition has been filed for issuance of directions to respondents No.2 and 3 to conduct the investigation expeditiously and fairly in FIR No.20 dated 26.02.2019 registered under Sections 302 and 34 IPC at Police Station Sadar Ahmedgarh, District Sangrur and in application dated 18.09.2019 submitted by the petitioner.

2. Learned State counsel refers to paras 3, 5 and 12 of the reply, which read thus:-

“3.That in reply to the contents of para No. 3 of the petition, it is submitted that on the basis of statement of Rajinderpal Kaur, present petitioner, instant FIR No. 20 dated 26.02.19 u/s 302/34 IPC, P.S. Sadar Ahmedgarh was registered against Karamjeet Kaur @ Kirna D/o Gurmail Singh r/o Bhadaur and Sikandar Singh @ Babba S/o Jeet Singh r/o Malerkotla. Both the accused were arrested on 28.02.19 and after the completion of investigation, challan was presented on 27.05.19 and the matter is now pending for adjudication before the Ld. Trial Court. It is further submitted that the petitioner had earlier submitted application No.2013/P dated 07.03.19 for including the name of Sawarnjeet Kaur W/o Jagjeet Singh r/o Bhadaur as accused and inquiry into the said

application was conducted by the S.P., Malerkotla. However, no truth was found in the allegation and no proof or evidence has come forward from which it can be said that Sawarnjeet Kaur W/o Jagseer Singh is involved in this crime. The petitioner has also submitted another application No.10842/P dated 10.10.19 for including the names of Paramjeet Singh @ Pama present M.C., Sinder Kaur W/o Gurmail Singh, Sawarnjeet Kaur W/o Jagseer Singh, Jaspreet Singh @Jassa S/o Jagseer Singh r/o Bhadaur and Sarabjeet Kaur widow of Jaggi Singh r/o Sandhu patti, village Uppli, District Barnala, as accused in this case and inquiry into this application was also conducted by S.P., Malerkotla. However, no proof or evidence regarding the allegation levelled by the petitioner has come forward against the above said person and no action was found to be taken on this application and on the recommendation of inquiry officer, the said application was seen and filed by the SSP, Sangrur, as both the accused namely Karamjeet Kaur @ Kirna and Sikandar Singh S/o Jeet Singh were arrested and challan was presented against them on 27.05.19 and now the case is pending for adjudication before the Ld. Trial Court. In view of facts submitted above, the version made by the petitioner in this para is an after thought version and nothing else.

5. That in reply to the contents of para No. 5 of the petition it is submitted that on the basis of statement dated 26.02.19 made by DGAR the petitioner before the S.H.O., P.S., Sadar Ahmedgarh, the instant FIR was registered against Karamjeet Kaur @ Kira and Sikander Singh S/o Jeet Singh. Whatever was stated by the complainant, same was reduced into writing word by word and then read over to the complainant, who after hearing and admitting the same to be correct, put her right thumb impression below her statement and the version made by her in her statement was duly corroborated by her husband Sukhdev Singh S/o Mohinder Singh, who also put his left thumb impression below the said statement. So, it is incorrect and denied that the FIR was not registered on the statement of the complainant. It is further incorrect and denied that the above five accused have been removed by the police with their own choice. It is pertinent to mention that as per the detailed facts given above during the course of inquiry into both the applications submitted by the petitioner, nothing has been revealed in relation to the involvement of those persons, whose names were mentioned by the petitioner.

12. That the contents of para No.12 of the petition are incorrect and denied. It is submitted that the police has acted in accordance with law in conducting the

investigation of the case fairly and impartially. Both the accused were arrested, challan was presented against them on 27.05.19 and the case is now under trial. So, far as factum of including the names of respondents No.4 to 8 as accused in this case, no such thing which would have lead the involvement of respondents No.4 to 8, has come forward during inquiry conducted by S.P., Malerkotla into both the above said applications submitted by the petitioner that is why, no action was taken against them. So, in view of the facts stated above, no cause of action arose to the petitioner to file the present petition.”

3. In view of the above, no further orders are required to be passed and the present petition is disposed of as infructuous.

10.08.2023
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No