

2023:PHHC:148102

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

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CRM-M-58693-2023

Date of Decision: 21.11.2023

SOHAN SINGH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. S.S. Waraich (Rana), Advocate
for the petitioners.

HARPREET KAUR JEEWAN, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. filed is for issuing direction to the respondent No.-2 Director General of Police, Punjab to conduct a fair and impartial investigation into the allegations levelled in FIR No.142 dated 14.10.2023 registered under Sections 306 IPC at Police Station Amloh, District Fatehgarh Sahib (Annexure P-1).

Another prayer has been made to decide and take action on the representation dated 09.11.2023 (Annexure P-4) filed by the petitioners .

Learned counsel for the petitioners *inter alia* contends that the complainant is the brother of the deceased, who had committed suicide. The complainant has concealed the material facts from the police authorities and FIR No.142 dated 14.10.2023 has been registered with concocted version. The marriage between the deceased and Lakhvir Singh, who is son of petitioners No.1 and 2, was solemnized on 20.10.2018 and thereafter there was not even a single occasion of any quarrel between the husband and wife. He further contends that petitioners No.1 and 2 are old age parents; petitioners No.3 and 4

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are residing separately from petitioners No.1 and 2; petitioner No.5 is married daughter, despite that all have been roped into the present FIR.

He submits that the petitioners have moved a representation dated 09.11.2023 (Annexure P-4) but no action has been taken so far. Apart from this, it was pointed out that on 07.10.2023, DDR No.11 dated 07.10.2023 (Annexure P-2) was registered, at the instance of father of the deceased and there are no such allegations, which were subsequently made in the FIR by the brother of the deceased. Even the husband of the deceased has moved an application (Annexure P-3) to the SSP, Fatehgarh Sahib on 11.10.2023 for missing report of her wife, despite that fair and impartial investigation has not been done.

Notice of motion.

On the asking of the Court, Mr. Harpreet Singh, Addl. A.G., Punjab accepts notice on behalf of the official respondents.

Mr. Gaurav Garg, Advocate, appears and accepts notice on behalf on respondent No.5 and has filed his power of attorney, which is taken on record. He submits that at the initial stage, the father has only got lodged the DDR (Annexure P-2) for tracing of his daughter, as such, there are no grounds to disbelieve the version in the FIR, which was registered on 14.10.2023, when the dead body was found which was stuck up in the Rajwaha river in village Maholi Kalan. He further submits that the deceased was a young female, who was working as a teacher, as such, the brother of the deceased had disclosed all the material facts at the time of registration of FIR No.142 dated 14.10.2023.

Learned State counsel submits that the representation (Annexure

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P-4) filed by the petitioners has been received only on 09.11.2023 and is presently being considered by DSP, Amloh, which has been received merely 10 days ago.

At this stage, no observation can be made on the basis of the factual matrix that the investigation is not fair, since the representation dated 09.11.2023 (Annexure P-4) is still pending with the authorities.

Faced with this situation, learned counsel for the petitioners at this stage, requests that the present petition be disposed of as not pressed for as the official respondents are considering the representation dated 09.11.2023 (Annexure P-4) which was filed by the petitioners.

Disposed of accordingly.

**(HARPREET KAUR JEEWAN)
JUDGE**

21.11.2023
P.Bhatt

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