

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

245

CRM-M-1100-2019 (O&M)
Date of order: 12.02.2024

Paramjit Kaur

.....Petitioner(s)

Vs.

State of Haryana & Others

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Subhash Godara, Advocate
for the petitioner.

Mr. Aditya Pal Singla, AAG Haryana.

Nidhi Gupta, J.

Prayer in the present petition under Section 482 Cr.P.C. is for entrusting the investigation of FIR No.81 dated 16.11.2018 registered under Sections 346 and 354-A read with Section 34 IPC at Police Station Women, Kaithal (Annexure P1), to any other impartial and fair investigating agency such as Crime Branch or any other independent Investigating Agency, so that the accused persons may be dealt with in accordance with law.

2. It is inter alia submitted by learned counsel for the petitioner that the petitioner was married to Jagseer/son of accused No.1 and 2, at District Kaithal on 18.01.2018, as per Sikh rites and ceremonies. As per her own admission as made in Para 2 of the present petition, *"petitioner cohabited with her husband in the matrimonial home at village Kallar Majra Distt. Kaithal till April 2018"*. Present FIR (Annexure P1) has been registered only on 16.11.2018. The allegation made in the present FIR is that Balwant Ram/father-in-law, Puro Devi/mother-in-law, Bimla Devi @ Bimal/sister-in-law, Sandeep Muchhal/brother-in-law (Nandoi), Satya Rani/sister-in-law and Charan Dass/Mama of husband, had committed offence under Sections 354-A, 346 and 34 IPC. It is contended that respondent-authorities were not carrying out any investigation in the

present FIR due to pressure exerted upon them by the local MLA, who is the real uncle of the husband of the petitioner i.e. the real brother of the father-in-law of the petitioner.

3. Learned State Counsel refers to status report by way of affidavit of Baljinder Singh, Deputy Superintendent of Police, AEC Kaithal, District Kaithal dated 07.02.2020, wherein in Para 4, it is mentioned as under:-

“4. That on the complaint of Raj Kumar S/o Shri Indraj, resident of Ghurkara, district Ambala, vide memo. No. 10/IGP dated 02.01.2019 issued by the Additional Director General of Police, Karnal Range, Karnal further investigation of this case was transferred from district Kaithal to district Karnal. Further investigation of this case was conducted by L/ASI Sarita of Women Police Station Karnal”.

4. No other argument is made on behalf of the parties.

5. I have heard learned counsel for the parties.

6. From a perusal of status report dated 07.02.2020, by way of affidavit of Baljinder Singh, Deputy Superintendent of Police, AEC Kaithal, District Kaithal, which goes uncontroverted by learned counsel for the petitioner, it is clear that on a complaint made by father of the present petitioner, investigation of the present case has already been transferred from District Kaithal to District Karnal. Further perusal of the status report reveals as under:-

“5. That on 14.02.2019, during the course of investigation of the case, facts and investigation of the case were verified by Deputy Superintendent of Police, Karnal. During this exercise, 9 persons of complainant side, including the complainant and on 18.02.2019, five persons of the accused side were joined in the investigation of the case. It has been found that Balwant Ram (father-in-law), Smt. Puro Devi (mother-in-law) and Jagsir (husband) are true accused in this case. Further on 19.07.2019 the accused namely Balwant Ram (father-in-law) and Smt. Puro Devi (mother-in-law) were arrested in this case after

following due procedure. On 14.10.2019, during the course of investigation of the case, facts and investigation of the case were verified by Deputy Superintendent of Police, Karnal and no incriminatory evidence against Sandeep Muchhal (Nandoi), Satya Rani (Nanand) and Charan Dass (Mamsara) came on file and they were found innocent. It is further submitted that after concluding investigation challan in respect of accused namely Balwant Ram and Smt. Puro Devi was prepared on 11.11.2019 and on 21.11.2019 the same was presented in the concerned court. Now the case is fixed on 18.03.2020 for consideration on charge”.

7. Even no replication to the aforesaid status report has been filed by learned counsel for the petitioner so far, which shows that he does not controvert the facts mentioned in the said status report.
8. In view of the above undisputed position, I find that no further directions are required to be issued in the matter. Present petition accordingly stands **dismissed**.
9. Pending application(s) if any also stand(s) disposed of.

12.02.2024
Sunena

(Nidhi Gupta)
Judge

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