



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

249 CRM-M-21501-2021 (O&M)
Date of Decision: 17.09.2024

Pooja and another Petitioners

Versus

State of Haryana and others Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioners.

Mr. Aditya Pal Singla, A.A.G., Haryana.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for issuance of a direction to respondents No. 1 to 4 to entrust the fair investigation and arrest all accused persons as mentioned in FIR No. 0119 dated 17.03.2021 under section 346 registered at Police Station Pundri Tehsil Pundri District Kaithal (Annexure P-1) to other independent agency of the State like State Crime Branch Bureau or any Gazetted Officer and to take legal action against respondents No. 5 to 6 (respondent No. 7 already arrested by the police) and alongwith accomplice accused in accordance with law and also to protect the life and liberty of the petitioners and their family.

Learned counsel for the State has filed reply dated 15.09.2024 by way of an affidavit of the Deputy Superintendent of Police



Kalayath on behalf of respondents No. 1 to 4, which is taken on record. Learned counsel refers to the submissions made in para Nos. 7, 8 and 9 of the said reply wherein it has been stated that accused Vikas son of Jodha was arrested in the present case on 25.03.2021; whereupon in pursuance of his disclosure statement, he has demarcated the place of occurrence. Even samples of the said accused Vikas have been collected on 16.04.2021 and deposited in FSL Madhuban in respect of which FSL report is Annexure R-1. As such final report under Section 173 Cr.P.C. was submitted against accused Vikas in the learned trial Court on 21.06.2021.

In respect of co-accused Subhash son of Prem Chand, as stated in para No. 12 of the said reply, he has expired on 09.01.2024. Death certificate of Subhash is annexed as Annexure R-3.

In respect of co-accused Sonu, it is submitted that after due investigation, the name of Sonu has been deleted as the victim in her statement (Annexure R-2) has stated that she did not know Sonu and she told the name of Sonu as he was called by the name 'Sonu' by the co-accused and she cannot reveal any other identity of Sonu.

It is further stated in para No. 11 of the said reply as well as on instructions from ASI Ram Chander, that there are total 14 prosecution witnesses and none has been examined so far. The summon was sent to the victim for evidence on 28.08.2024 but she did not come present for her testimony in the learned trial Court and now the case is fixed for 07.10.2024 for further prosecution evidence.



In view of the facts as noticed above, no further directions are required to be issued.

The present petition stands disposed of.

Pending application, if any, stands disposed of.

17.09.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

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