

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

216

CWP-11147-2021
Date of Decision: 07.03.2024

HARJINDER KAUR

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Lupil Gupta, Advocate for the petitioner.
Ms. Niharika Sharma, AAG, Punjab for respondents No.1 to 5.
Mr. L.S. Sidhu, Advocate for respondents No.6 to 9.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing respondents No.1 and 2 to constitute an SIT (Special Investigating Team) in FIR No.18 dated 13.04.2021 registered at Police Station Jaurkian, District Mansa under Sections 376, 506, 323 read with Section 34 of the IPC, 1860.

Learned State Counsel has referred to the reply filed by the respondent-State giving details of the issue involved and the investigation conducted by them.

She further informs that the investigation in the matter was entrusted to the Deputy Superintendent of Police, Crime Against Women and Children, Mansa, who has already submitted his report and the same is appended herewith as Annexure R-1/T. It is also submitted that during the investigation/inquiry, the call details of the accused persons were also taken and it emerged from the same that the petitioner was pressurizing the parents of Sukhdeep Singh for breaking the engagement and solemnizing the marriage of Sukhdeep Singh with Manjit Kaur.

She has further informed that a final report under Section 173 Cr.P.C. has already been prepared wherein the offence under Section 376 IPC has been stated to be not made out and the said final report is yet to be presented before the Illaqa Magistrate.

Counsel for the petitioner, however, expressed his dissatisfaction as regards the deletion of Section 376 of IPC. However, in the circumstances of the case, I am of the opinion that once the investigation of the case is complete and the final report has already been prepared, which is likely to be presented before the Illaqa Magistrate very shortly, the unredressed grievance(s) of the petitioner, if any, can be raised before the competent Court by moving an appropriate application/objections with respect to the final report prepared/ submitted by the Investigating Agency and she (the petitioner) may, if so advised, also seek further/fresh investigation in the said matter. No further directions are thus required to be issued in the present case at this stage.

Disposed of accordingly with the liberty as aforesaid.

MARCH 07, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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