

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-25377-2021 (O&M)
Date of Decision: 26.11.2024

Prabhjot Gogna

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioner.

Ms. Aakanksha Gupta, A.A.G., Punjab.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for issuance of direction to respondents no.1 & 2 to hand over the investigation of FIR No. 38, dated 15.04.2021 under Sections 302/307/498-A/120-B IPC, 25/27 of Arms Act, registered at Police Station Sadar Phagwara, District Kapurthala to some independent agency.

Order sheets shows that none has appeared on behalf of the petitioner/complainant on the last 2 dates of hearing i.e. 03.11.2022 and 16.10.2024. Today also, there is no representation on behalf of the petitioner.

Learned counsel for the State, on instructions from SI Kamaljit Singh, informs this Court that by way of the present petition, the petitioner/complainant is seeking a direction to the official respondents No.1 and 2 to transfer the investigation in the present case to



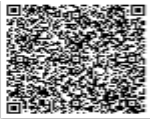
some independent agency in view of the fact that co-accused/respondents No. 7 to 10 have been exonerated upon investigation.

Learned counsel for the State submits that the main accused is the father-in-law of the petitioner/respondent No.11 herein; and offences under Sections 498-A and 120-B IPC stand deleted; and the 5 other accused being respondents No. 7 to 10 and respondent No. 12 have been declared innocent vide DDR No. 11 dated 28.05.2022.

Learned counsel for the State further submits that the present petition has been rendered infructuous as the challan in the present case has been filed on 12.07.2021; and charges have been framed on 25.01.2023. It is further pointed out that an application under Section 319 Cr.P.C. has also been filed by the petitioner side before the learned trial Court for summoning of the exonerated accused. In this regard, learned counsel for the State has handed over zimni order dated 11.11.2024 in which it is clearly mentioned that “*also to come upon for consideration to the application under Section 319 Cr.P.C. for summoning Smt. Neelam Gogna etc.*” A copy of the said order dated 11.11.2024 is taken on record.

Heard.

In view of the above submissions made by learned counsel for the State, the present petition is disposed of as having been rendered infructuous. However, in case anything survives, liberty is granted to the petitioner to revive the same within 4 weeks from today, if so advised.



Pending application(s), if any, stand(s) disposed of.

26.11.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No