

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-22010-2024
Date of Decision : May 03, 2024

MANISHA -PETITIONER

V/S

STATE OF PUNJAB AND OTHERS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioner seeks issuance of directions upon the respondents No.2 and 3 to get the FIR No.55 dated 15.04.2024 (Annexure P-1), registered at P.S. Division No.5, District Jalandhar, investigated by constituting a Special Investigation Team, as investigation thereof is not being conducted in a free and fair manner.
2. The learned State counsel, who is on advance notice, has, on instructions imparted to him by A.S.I. Avtar Singh, informed this Court that the investigation in the present FIR has been carried out most promptly and in a professional manner, as consequent upon the petitioner suffering a miscarriage on 18.04.2024, her supplementary statement was recorded and consequently, offence under Section 316 of the IPC was added in the present FIR, vide DDR No.029 dated 29.04.2024. He has further informed that, out of the eight accused persons, five have already

been arrested and raids are also being conducted for arresting the remaining three accused persons. Moreover, during the course of investigation, one more accused has been nominated in the present FIR.

3. The learned State counsel has submitted that, since within a short span, the investigating agency has acted diligently and efficiently, besides is also making all necessary efforts to arrest the remaining accused, therefore, the instant petition is premature at this stage.

4. At this stage, the learned counsel for the petitioner has submitted that since offence under Section 316 of the IPC has already been added in the present FIR, therefore, he may be granted leave to withdraw the instant petition, however, with liberty to the petitioner to re-access this Court for redressal of her grievance, if it would yet exist.

5. Leave granted.

6. Consequently, the instant petition is dismissed as withdrawn, however, with liberty (supra).

May 03, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No