

112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35641-2023 (O&M)

Date of Decision: 01.05.2024

JINDER KAUR

.....PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Hitesh Chopra, Advocate,
for the petitioner (through video conferencing).

Ms. Himani Arora, A.A.G., Punjab.

HARPREET KAUR JEEWAN J. (ORAL)

1. The prayer in the present petition filed under Section 482 Cr.P.C. is for directing respondents No. 1 to 4 to conduct independent, fair, impartial and unbiased investigation in FIR No. 22, dated 14.03.2023, under Sections 341 and 354 of the IPC, registered at Police Station '*Ghuman Kalan*', District Gurdaspur.

2. A further prayer is also made to monitor such investigation as enunciated by Hon'ble the Supreme Court in **Babu Bhai Jamna Das Patel vs. State of Gujarat** (2009) 9 SCC 310 and also decide the representation dated 29.05.2023 (Annexure P-1) through some senior police official.

3. A status report, dated 30.04.2024, by way of an affidavit of Sh. Gurwinder Singh, PPS, Deputy Superintendent of Police, Kalanaur, District Gurdaspur, has been filed in Court today by learned State counsel.

The same is taken on record.

4. Learned counsel for the petitioner *inter alia* contends that the occurrence is dated 18.10.2022, however, the FIR was registered with the great efforts on the part of the petitioner on 14.03.2023 after approaching this Court. Now the fair investigation is not being conducted.

5. Learned counsel for the State submits that during the investigation, respondent Nos. 6 and 9 were arrested in this case on 25.03.2023 and offence under Section 34 IPC has been added, vide G.D. No. 28, 19.02.2024.

6. She further submits that even the representation dated 29.05.2023 (Annexure P-1) was decided prior to filing of the report under Section 173 (2) Cr.P.C.(‘*challan*’) on 27.03.2024.

7. Keeping in view the above facts and circumstances of the present case and also keeping in view the fact that the petitioner has also an alternate remedy for redressal of his grievance, in terms of the ratio of the judgment given by Hon’ble the Supreme Court in M.Subramaniam and another vs. S. Janki and another 2020 (2) RCR (Criminal) 788, the present petition stands disposed of.

8. Pending miscellaneous application (s), if any, shall also stand disposed of.

May 01, 2024

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(HARPREET KAUR JEEWAN)

JUDGE

Whether Speaking	Yes
Whether reportable	No