



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

293

CRM-M-40598-2022

Date of Decision : **September 05, 2024**

JASWINDER KAUR ALIAS KAMALPREET KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Tushar Sabharwal, Advocate for
Mr. Nandan Jindal, Advocate for the petitioner.
Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, prayer is made for casting mandamus upon the official respondents No. 1 to 3 to present the status report in this Court in case FIR No.276 dated 27.9.2003, under Sections 307/406/120-B IPC, registered at Police Station Civil Lines, Patiala, District Patiala.

2. Today, the learned State counsel has filed the short reply dated 27.7.2024 by way of an affidavit of Jangjit Singh, PPS, Deputy Superintendent of Police, City-II, District Patiala has been filed by the learned State counsel today in the Court, the same is taken on record.

3. The study survey of the reply reflects that after conducting further investigation now the cancellation report has already been submitted before the competent Court on 27.1.2023 and the same is pending consideration. The relevant extract reads as under:-

“10. That thereafter, the petitioner again moved one representation OF IND dated 14.11.2022 before the office of Inspector General of Police, Patiala Range, Patiala and the same was enquired by Superintendent of



CRM-M-40598-2022

-2-

Police (Investigation) Patiala, who after conducting thorough and detailed enquiry, submitted his report dated 30.11.2022 before Senior Superintendent of Police, Patiala stating therein that the allegations levelled by the petitioner regarding forceful pouring of poison into her mouth, in that regard, the then enquiry officer had clarified that there was no sign of injury on the body of petitioner, which clearly shows that nobody forced the poison into the mouth of petitioner. Moreover, during the investigation of the case, statements of witnesses were recorded and as per the same, respondent no. 4 and Kulwant Kaur (mother-in-law of petitioner) never came into the house of petitioner. Furthermore, Jarnail Singh S/o Late Nirmal Singh presented his affidavit dated 14.10.2003 before the investigating agency to the effect that while the petitioner was travelling with them in car, the petitioner took out poison bottle from her bag and drank 2- 3 sips from it at Sirhind road and then they admitted her to Rajindra Hospital Patiala. During the course of investigation, the investigating agency visited the spot of occurrence, wherein no liquid or poisonous substance was found at the spot. It is worthwhile to mention herein that Dilbag Singh (father-in-law) expired on 27.01.2019 and Kulwant Kaur on 01.02.2019 and no offence committed by respondent no. 5 was found during the course of investigation. The enquiry report was submitted before Senior Superintendent of Police, Patiala, who agreed with the same and therefore, cancellation report was again prepared and submitted before the Ld. Competent Court on 27.01.2023 and same is pending consideration for 06.08.2024".

4. In view of the specific stand taken by the learned State counsel, the petitioner is relegated to the Court of competent jurisdiction where the cancellation report is pending for consideration.

5. **Disposed** of accordingly.

September 05, 2024

ajay-1

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No