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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49601-2023 (O&M)

Date of Decision: 22.04.2024

AMANDEEP KAUR

.....PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Vishal Gaur, Advocate, for
Mr. Ranjit S. Bajaj, Advocate, for the petitioner.

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

Mr. Mohd. Yousaf, Advocate, respondent No. 4.

HARPREET KAUR JEEWAN J. (ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for issuance of directions to the official respondents to transfer the investigation of FIR No. 57, dated 13.07.2022, under Sections 406 and 498-A, 34 of the IPC, registered at Police Station Jalandhar (Rural), to some senior IPS officer outside District Jalandhar.
2. In compliance of the order dated 08.04.2024 passed by this Bench, today an affidavit of Dr. Ankur Gupta, IPS, Senior Superintendent of Police, Jalandhar (Rural), has been filed by learned State counsel in Court today. The same is taken on record.
3. In the aforesaid affidavit the efforts made by official respondents for arrest of Rakesh Kumar (husband of the complainant) are stated to have been made and the following facts were recorded:-

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“9. That in regard to the arrest of the accused Rakesh Kumar (husband) efforts are being made to arrest him, however, he could not be traced. In fact, during the investigation it was told by the brother of the accused namely Joginder Pal on 15.07.2022, that Rakesh Kumar is already staying abroad in Portugal. Thus, after this fact came to knowledge of the investigating agency, a Look Out Circular (LOC) has been got issued against him vide No. 10069, dated 18.08.2022.

10. That a letter has been written to Assistant Director/CFB, Bureau of Immigration, East Block-VIII, Level-V, Sector 1, R.K. Puram, New Delhi to procure the travel history of the accused Rakesh Kumar.

11. That on the other hand procedure has been initiated to issue notice to the accused under Section 105-B Cr.P.C. so that further actin can be taken in accordance with law.

12. That further efforts are being made to arrest the accused and on the other hand the Deputy Superintendent of Police, Sub-Division, Adampur, has been directed to get the investigation concluded under his supervision and submit the report under Section 173 Cr.P.C. before the learned trial Court, in accordance with law expeditiously.

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4. In view of the above, the present petition stands disposed of with liberty to the petitioner to avail remedy, as per law.

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

April 22, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking
Whether reportable

Yes
No