



CRM-M-48440-2024 (O&M)

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48440-2024 (O&M)
DATE OF DECISION: 28.10.2024

HARJIT KAUR

.....PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Kushagra Mahajan, Advocate,
for the petitioner.

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

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition is for issuance of directions to the official respondents No. 1 & 2 to transfer the investigation to some other police station & conduct fair and impartial investigation in FIR No. 33, dated 12.03.2024, registered at Police Station Kamboj, District Amritsar, under Sections 363 and 366 of the IPC.

1.1 Another prayer has also been made for issuance of a direction to the Station House Officer, Police Station Kamboj, District Amritsar (respondent No. 4) to proceed with in accordance with law with regard to the communication dated 30.08.2024 (Annexure P-5).

2. Learned counsel for the petitioner *inter alia* contends that the prosecutrix was 16 years of age at the time of alleged occurrence. She was enticed away and taken out from the legal custody of her parents. The



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matter was reported to the Police and FIR No. 33, dated 12.03.2024 (Annexure P-1) was lodged. Subsequently, the custody of the minor prosecutrix was handed over to her parents as per the orders of this Court, dated 28.05.2024 [Annexure P-3 (colly)].

3. Today, an affidavit of Sh. Charanjit Singh, Senior Superintendent of Police, District Amritsar, along with the copies of the statements of the prosecutrix recorded under Section 164 Cr.P.C., and a copy of the DDR as Annexures R-1 to R-3 have been filed by learned State counsel in Court. The same are taken on record. Office to tag the same at appropriate place.

4. Learned counsel for the State, on instructions from ASI Balwinder Singh, has submitted that after the registration of the FIR, the investigation was marked to the Deputy Superintendent of Police, Sub-Division Ajnala, Amritsar (Rural) by the Senior Superintendent of Police, Amritsar (Rural) (respondent No. 2).

4.1 It has been confirmed that the prosecutrix got recorded her age as 16 years. It is also confirmed that the prosecutrix got recorded her first statement (Annexure R-1) and thereafter, she got recorded another statement (Annexure R-2). It is also confirmed that DDR No. 16 was recorded on 19.10.2024 (Annexure R-3), whereby additional accused have been nominated in the present FIR.

4.2 Learned counsel for the State, further, on instructions from ASI Balwinder Singh, has informed that one of the accused has already been arrested on 04.04.2024. Referring to the status report, it is submitted that the official respondents undertake to make all endeavour to proceed



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further on the basis of DDR No. 16, dated 19.10.2024 (Annexure R-3) and would take the investigation to its logical conclusion shortly.

5. Faced with this, learned counsel for the petitioner does not press the present petition, at this stage.

6. Accordingly, the present petition is disposed of with liberty to the petitioner to avail appropriate remedy as per law, in case official respondents No. 1 to 4 do not adhere to the undertaking given by learned State counsel in Court today.

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

OCTOBER 28, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes/No
Whether Reportable	Yes/No