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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3527-2025 (O&M)
Date of Decision: 23.01.2025

Jyoti

....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. H.P.S.Sidhu, Advocate, for the petitioner.

Ms. Seena Sandhu, Additional Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 528 of BNSS for seeking a direction to respondents No.1 to 3 to arrest the accused person i.e. respondents No.4 and 5 and to hand over the investigation to higher authority.

2. Learned counsel appearing on behalf of the petitioner submitted that the present FIR was registered on 11.08.2024 but the police is neither properly investigating the matter nor respondents No.4 and 5 have been arrested and therefore, the matter may be referred to some higher authority and direction may be issued to arrest the aforesaid persons.

3. On the other hand, learned Additional Advocate General, Punjab has submitted that she has instructions to state that in the present case the husband of the deceased namely, Shubham Khera has already been arrested and he is in custody and sister of aforesaid Shubham Khera namely, Sonia who is also an accused has been enlarged on bail and so far as respondents No.4 and 5 who are father-in-law and brother-in-law are concerned, efforts



are being made to trace and apprehend them but they have absconded and so far as aforesaid two co-accused i.e husband of the deceased namely, Shubham Khera and sister of the aforesaid Shubham Khera namely, Sonia are concerned, the investigation has been completed and qua them challan has been presented and therefore, it cannot be said that no efforts have been made by the State in this regard.

4. After hearing the learned counsels for the parties, this Court is of the considered view that firstly, no such prayer can be made by the petitioner seeking a direction from the High Court to arrest somebody. Secondly, so far as the fair investigation is concerned, learned Additional Advocate General, Punjab has stated that the investigation has already been completed qua the husband and the aforesaid co-accused Sonia against whom challan has been presented and so far as respondents No.4 and 5 are concerned, efforts were made to apprehend them but they are absconding and therefore, it cannot be said that there had been no fair investigation in the present case. It appears that both the prayers made in the present petition by the petitioners are misconceived.

7. Consequently, the present petition is dismissed.

23.01.2025

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No