

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025 PHHC 152683



(125)

CRM-M-11061-2025
Decided on : 06.11.2025

Dhanwanti and another

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Anoop Kumar Yadav, Advocate for the petitioner (s).

Mr. Tarun Aggarwal, Addl.AG, Haryana.

Sumeet Goel (Oral):

1. The substantive prayer made in the instant petition reads thus:

“It is further prayed that Petition under section 528 of B.N.S.S. for issuing directions to the respondents no. 1 to 3 to for taking action as per law against the respondent no 4 (Surender Son of Prabhati Lal) and respondent no 5.(Ramesh son of Surender). As despite of registration of FIR No. 155, dated 17.09.2024, Under Section 3(5), 126,103(1) of B.N.S. was registered at Police Station Sadar Kanina, District Mahendergarh (Annexure P-1) against the respondent no 4 and 5 and S.P. and D.G.P (Annexure P-1) all the authority has not arrested the respondent no 4 and 5 (Annexure P-3).

AND/OR

Further despite of the FIR of murder case has been register against them, the CIA Mahendergarh has not conducted any investigation nor arrested the respondent no 4 and 5 till date.”

2. A perusal of the reply dated 18.10.2025 reflects thus:

“7. That in reply to the contents of Para no.7 of the petition, it is submitted that during the course of investigation, on 19.09.2024, the respectable persons of the village Sehlang who has witnessed the incident namely Om Parkash son of Budhram, Rajpal son of Budhram, Partap son of Jiram, Shakuntala wife of Rajender and Randhir son of Ramchander were joined in the investigation wherein they have stated that they were present at the spot at the relevant time and they saw that there was only altercation between them and the deceased was not beaten by Surrender and his wife Ramesh by using fists and Slaps blows and they got recorded their statements in this regard (Annexure R-3 to R-7). Besides, after receiving the R/FSL Sunaria report and Histopathological examination report (Annexure R-8 and R-9), on 21.05.2025, the investigating officer has moved an application before the concerned doctor/board for getting the opinion regarding the cause of death of deceased Ravinder in the present case as the board of doctors who had conducted the postmortem examination of deceased Ravinder had mentioned in the PMR that cause of death will be given after receiving the Histopathological examination and Chemical examination report. In response to the said application, on 22.05.2025 doctor/board gave their opinion that the cause of death in this case is complication of chronic ischemic heart disease with coronary artery disease (Annexure R-10). It is submitted that in view of the investigation conducted in this case till date no incriminating evidence came forth on the file to connect the alleged accused persons i.e. respondent no.4 and 5 with the present crime and they are found innocent and as such the present FIR no.155 dated 17.09.2024 (Annexure P-1) is liable to be cancelled.

8. That the contents of Para no.8 of the petition requires no comments being legal one.

9. That in reply to the contents of Para no.9 of the petition, it is submitted that in view of the investigation conducted in this case till date no incriminating evidence came forth on the file to connect the alleged accused persons i.e. respondent No.4 and 5 with the present crime and they are found innocent and as such the present FIR no.155 dated 17.09.2024 (Annexure P-1) is liable to be cancelled. It is pertinent to mention here that a cancellation report is being prepared by the SHO, P.S. Sadar Kanina which would be presented before the Ld. Court shortly after getting the approval from higher officers of the department.”

3. In view of the above, this Court is of the considered opinion that no directions are called for in the petition in hand and the same is disposed of reserving liberty in favour of the petitioner to avail their remedy(s) before the

concerned Court, as a cancellation report is being put up by the police. It is expected that the police shall put up the final report under Section 173 Cr.P.C., may be it is a cancellation report or otherwise, before the concerned Court, within a period of one month from today.

November 06, 2025
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No