

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 121

Criminal Miscellaneous No.M-26470 of 2025**Date of Decision: May 16, 2025**Shabana Ali

..... PETITIONER(S)

*VERSUS*State of Haryana & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**PRESENT:** - Ms. Aiman J. Chishti, Advocate, for the petitioner.

Mr. Chetan Sharma, Deputy Advocate General, Haryana.

SANDEEP MOUDGIL, J (Oral)

In this petition, two fold prayer has been made. First, to conduct fair and proper investigation in FIR No.697 dated 20.07.2024 under Section 127(6) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station, Yamuna Nagar City, Yamuna Nagar, and secondly, to record the statement of victim Eleena under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023, which is not being done.

2. Learned State counsel, appearing on advance notice, would submit on instructions that victim Eleena, who is residing in Ambamata, District Udaipur (Rajasthan), refused to come down to the Police Station, City Yamuna Nagar.

3. Learned State counsel is directed to contact the concerned police station in Rajasthan where the victim Eleena has appeared and joined the investigation. He is also in possession of affidavit of Eleena dated 23.01.2025, which deposes that she is major and has gone on her own, and is not willing to company the petitioner and her father.

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4. All efforts should be made by the State Police, if required, even by making a visit to the concerned Police Station Amba Mata, District Udaipur (Rajasthan). The photocopy of the affidavit tendered by the victim Eleena and the DDR alongwith statement have been produced which are taken on record as Document 'A' (collectively).

5. As far as the first prayer is concerned qua conducting a fair investigation in the matter is concerned, though there is no representation attached to the present petition, Superintendent of Police, Yamuna Nagar is directed to examine the instant petition thoroughly, considering each and every allegation levelled therein and decide the question constituting an SIT if so required by passing a speaking order within a period of two weeks from today, the order so passed shall be furnished to the petitioner within one week thereof.

6. In the meantime, the police authorities of the concerned police station including the Investigating Officer shall make all endeavors in context of the first prayer made and the direction given by this Court.

7. Disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
Judge

May 16, 2025

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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No