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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-61195-2024

Date of Decision:-25.03.2025

Kanto Bai

...Petitioner

Vs.

State of Punjab and Ors.

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Kuldip Singh, Advocate
for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.

1. The petitioner –Kanto Bai has filed present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for issuance of directions to the official respondents to conduct fair and impartial investigation in FIR No.91 dated 11.06.2024 (Annexure P-1), under Section 376-D, Police Station City Jalalabad, District Fazilka as respondent No.5 by conspiring with local police has made up a baseless and concocted story to falsely implicate husband of petitioner or with the prayer for any other direction which the Court may deem fit and proper in the given facts and circumstances of the case.

2. Learned counsel for petitioner pointed out that husband of petitioner is falsely implicated in the aforesaid FIR. There is delay in lodging the FIR. Earlier, on the complaint of her husband one FIR No.143

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dated 16.08.2023 was registered under Sections 458, 380, 427, 148, 149 of IPC, at Police Station Sadar Fazilka against the complainant and in counter blast to the said FIR husband of the petitioner is falsely involved in the present case. No proper investigation is being carried out. Hence the present petition.

3. Status report has been filed, according to which, FIR No.91 dated 11.06.2024 is registered under Section 376-D of IPC, at Police Station City Jalalabad against accused Gurmej Singh and one unknown person. During investigation, statement of the prosecutrix has been recorded under Section 164 Cr.P.C. Gurmej Singh was arrested on 03.03.2025 and his blood samples were also drawn for DNA test and the same has been sent to Forensic Science Laboratory, Mohali. Vide rapat No.27 dated 04.03.2025 offence under Section 376-D of IPC has been deleted and Section 376 of IPC has been added. Matter is still under investigation.

4. I have considered the arguments advanced by learned counsel for petitioner as well as the contents of status report. Investigation in FIR No.91 dated 11.06.2024 (supra) (Annexure P-1) is going on. Gurmej Singh accused is specifically named. Stand taken by petitioner is that this FIR has been registered as counter blast to another FIR No.143 dated 16.08.2023 registered on the statement of husband of petitioner at Police Station Sadar, Fazilka. The allegations in both the FIRs will be investigated by the police as per rules. Gurmej Singh husband of the petitioner is already arrested. He can seek remedy available to him as per law. Learned State counsel pointed out that the investigation is still under progress and it will be done in a fair manner as per law.

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5. In the light of this, no further direction is required and the petition is accordingly disposed of with the direction that petitioner is at liberty to seek appropriate remedy as and when required as per law.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

25.03.2025

*Sunil Devi***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No