

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

113

CWP-34702-2024(O&M)
Date of Decision : **January 27, 2025**

KANWALJIT KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Akshay Bhan, Sr. Advocate assisted by
Mr. H.P.S.Sandhu, Advocate for the petitioner.
Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, as cast under Article 226 of the Constitution of India, prayer is made for issuance of mandamus upon the official respondents concerned to send the suspected poisonous drink, which is now in possession of the police, which according to the petitioner was the root cause for the death of her husband, for chemical examination to ascertain its contents.

2. This Court on 18.1.2025 had passed the following order:-

“To be heard alongwith the main case on 27.1.2025.

To be shown in the urgent list.

It is further made clear that no request for an adjournment shall be entertained on the next date of hearing from either of the parties.

On the adjourned date, the learned State counsel shall inform this Court the reasons for not adhering to the principles, as laid down by the Hon’ble Supreme Court in the case of **LALITA**

KUMARI Vs. GOVT. OF U.P. AND ORS. [2013] 14 S.C.R. 713

despite disclosure of a cognizable offence especially when proceedings under Section 174 Cr.P.C. have been carried out by the investigating agency.”

3. Today, the learned State counsel on instructions imparted to him by ASI Randhir Singh informs this Court that the competent authority has registered FIR No.24 dated 23.1.2025, under Sections 123, 103, 105 of BNS at Police Station Jagraon, District Ludhiana and now the investigation is being conducted in the above FIR.

4. Learned Sr. counsel for the petitioner submits that he is satisfied as on date regarding the action taken by the investigating agency by lodging FIR. However, he submits that the petitioner may be granted liberty to re-access this Court, in case in future, she has any grievance with regard to the investigation. Therefore, at this stage he is not pressing the prayer made in the instant petition.

5. In view of the specific stand taken by the learned State counsel as well as by the learned Sr. counsel for the petitioner, the instant petition is **closed**.

6. **Disposed** of accordingly.

January 27, 2025
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(KULDEEP TIWARI)
JUDGE

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