

CRM-M-34154-2026

2026:PHHC:087764



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

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Date of Decision: 19.06.2026

SUKHWANT KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Ms. Divya Gulati, Advocate for the petitioner
(through video conferencing).

Mr. Vikas Sonak, AAG Punjab.

HARPREET SINGH BRAR, J. (Oral)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973), seeking issuance of appropriate directions to respondent Nos. 2 and 3 to conduct a fair, impartial and independent investigation in FIR No. 07 dated 09.02.2025 registered under Sections 109(1), 127(1), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 307, 340, 506 and 34 IPC), and Sections

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103(1) and 238 of the Bharatiya Nyaya Sanhita, 2023 (corresponding to Sections 302 and 201 IPC), added subsequently, at Police Station Jhajder, District Amritsar, by entrusting the investigation to an IPS-rank officer, on the ground that the deceased Simarpal Singh, along with Gurpreet Singh @ Gagan, had allegedly forcibly entered the house of the petitioner, committed theft by snatching a mobile phone and Rs.7,000/- from the petitioner's son, assaulted the petitioner and her family members causing injuries to her husband and son, and thereafter fled from the spot, during which Simarpal Singh allegedly died, whereas the impugned FIR No.07 has been lodged by his brother, Joga Singh, on the basis of false and fabricated allegations against the petitioner and her family members.

2. Learned counsel for the petitioner, *inter alia*, contends that on 08.02.2025, when the petitioner was alone in her house, Gurpreet Singh @ Gagan son of Kashmir Singh and his companion Simarpal Singh son of Prem Singh entered her house and attempted to snatch her belongings. The petitioner resisted their actions and, in the meantime, her brother-in-law, namely Sanjiv Kumar, and her son, namely Aryan, reached the spot. The assailants scuffled with the petitioner's son and brother-in-law and caused multiple injuries to Sanjiv Kumar on his head. They also snatched the mobile phone of the petitioner's son. Thereafter, the assailants fled from the

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spot. While running away, one of the assailants, namely Simarpal Singh, allegedly fell down and died. On the basis of the statement of Joga Singh, brother of the deceased Simarpal Singh, FIR No. 07 dated 09.02.2025 came to be registered against the petitioner and her family members.

2.1. It is further contended that after registration of the FIR, the police authorities raided the petitioner's house, compelling the petitioner and her family members to leave their residence to avoid arrest. Learned counsel further submits that the petitioner submitted a representation dated 02.06.2025 to respondent No. 2 seeking a fair and impartial investigation; however, no action has been taken thereon.

3. *Per contra*, learned State counsel submits that the present petition has been filed in a mischievous manner. It is contended that son of the petitioner is main accused in a criminal case registered under Section 302 of IPC, in which the final report under Section 173 CrPC has already been submitted before the competent Court of law. It is further submitted that charges have already been framed against the accused and the trial is presently under progress.

4. Having heard learned counsel for the parties and upon perusal of the record, this Court finds that the petitioner herself has pleaded the facts

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relating to the occurrence dated 08.02.2025 and the registration of FIR No. 07 dated 09.02.2025. It is not disputed that the jurisdictional police authorities have already concluded the investigation and submitted the final report before the competent Court of law. It is further not disputed that charges have already been framed and the trial is presently underway. The next date fixed before the learned trial Court is 04.07.2026.

5. In view of the aforesaid facts and circumstances, this Court does not find any ground warranting interference in the present case. No cogent material has been placed on record to substantiate the allegations of unfair or biased investigation, particularly when the investigation stands concluded and the matter is already at the stage of trial. Consequently, finding no merit in the present petition, the same is hereby dismissed.

6. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

19.06.2026
parul verma

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