

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S).739 OF 2016
(@ SLP (CRL.) NO.2867 OF 2013)

RAJNI GUPTA

APPELLANT (S)

VERSUS

STATE OF HARYANA & ORS.

RESPONDENT (S)

O R D E R

Leave granted.

Heard learned counsel for the respondent.

Perused the impugned judgment and order.

Prayer for the appellant-complainant, the mother of the deceased, before the High Court in the petition filed under Section 482 of the Code of Criminal Procedure, 1973, was for issuance of necessary directions for transfer of investigation in FIR No.108 dated 20.08.2012, under Section 406, 498A, 304B and 34 of the Indian Penal Code, registered at Police Station, Sector-16, Panchkula, District Panchkula to Central Bureau of Investigation or any other

independent investigating agency.

Learned counsel for the State has filed a letter issued by the Deputy Commissioner of Police, Panchkula stating therein that cancellation report in FIR No.108 dated 20.08.2012, under Section 406, 498A, 304B and 34 of the Indian Penal Code has been submitted on 05.03.2015, before the Illaqua Magistrate, Judicial Magistrate, 1st Class.

The grievance of the appellant, the mother of the deceased, is that the police have not properly investigated the crime.

We are not inclined to accept the cancellation report so submitted. Having regard to the facts and circumstances of the case, without expressing any opinion on the matter, we feel it just and proper to refer the matter to the Crime Branch of the State of Haryana for re-investigation and take necessary action in this regard and prepare a detailed fact finding report within a period of three months from the date of receipt of a copy of this order and take all consequential necessary steps. Head/In-Charge of the

Crime Branch, State of Haryana is directed to appoint an appropriate investigation officer at the earliest for thorough investigation into the crime and take further suitable action in this regard.

With the aforesaid direction, the appeal is allowed.

.....J.
(V. GOPALA GOWDA)

.....J.
(ADARSH KUMAR GOEL)

NEW DELHI,
AUGUST 02, 2016

ITEM NO.11

COURT NO.8

SECTION IIB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2867/2013

(Arising out of impugned final judgment and order dated 14/12/2012 in CRM M No. 35465/2012 passed by the High Court Of Punjab & Haryana At Chandigarh)

RAJNI GUPTA

Petitioner(s)

VERSUS

STATE OF HARYANA & ORS.

Respondent(s)

(with appln. (s) for permission to place addl. documents on record and office report)

Date : 02/08/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s)

Ms. Jyoti Mendiratta,Adv.

For Respondent(s)

Mr. Sanjay Kr. G., Adv.
Mr. Kamal Mohan Gupta,Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

Heard learned counsel for the respondent.

Perused the impugned judgment and order.

The appeal is allowed, in terms of the signed order.

(VINOD KUMAR JHA)
COURT MASTER

(SUMAN JAIN)
COURT MASTER

(Signed order is placed on the file)