



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-35061-2025(O&M)  
Date of decision: 08.07.2025

Pushpa Devi

...Petitioner

*Versus*

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Raja Sharma, Advocate for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

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**MAHABIR SINGH SINDHU, J.**

Present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for handing over the investigation of FIR No. 17 dated 31.01.2023, under Sections 279, 304-A & 427 of the Indian Penal Code, 1860, registered at Police Station Focal Point, Ludhiana to the Senior Police Officers or to some independent investigation agency.

(2) Although there is no formal notice of motion in this case, but learned State counsel, on instructions from quarter concerned, has produced copy of order dated 17.10.2023 passed by learned Judicial Magistrate First Class, Ludhiana, which is taken on record and marked as 'X'. Registry to tag the same at appropriate place.

(3) Order dated 17.10.2023 (mark 'X') reads as under:-

*“ Status report received from SHO and it be taken on record.*

*Heard. The status report was called with regard to FIR No. 17 dated 31.01.2023. As per status report filed by police authorities, they have prepared an untraced report which is to be filed in the Court.*



*As police authorities have already prepared the untraced report, no further action is required on the part of this Court. Applicant/complainant is at liberty to avail his remedies, once the untraced report is filed in the Court and notice of the same is given to them.  
File be consigned to record-room.”*

(4) Perusal of the above extract reveals that after investigation of FIR No. 17 dated 31.01.2023 (*supra*), untraced report was presented before the Court of competent jurisdiction and same was duly accepted while passing the order dated 17.10.2023.

(5) Faced with the above predicament, learned counsel for petitioner wishes to withdraw present petition with liberty to take recourse to the remedy available under law.

(6) Disposed off with aforesaid liberty.

Pending application(s), if any, shall also stand disposed off.

**08.07.2025**

*Harish Kumar*

**( MAHABIR SINGH SINDHU )  
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>