

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

CRM-M No. 1825 of 2015 (O&M)

Date of decision: 11.05.2015

Sukhdev Singh

..... Petitioner.

Versus

State of Punjab

..... Respondent.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. H.S. Saini, Advocate, for the petitioner.

Mr. P.S. Grewal, DAG, Punjab, for the respondent.

NAVITA SINGH, J. (ORAL)

CRM No. 15582 of 2015

Heard. For the reasons given in the application and the accompanying affidavit, the application is allowed and the statement of complainant (Annexure P4) is taken on record, subject to all just exceptions.

CRM No. 15583 of 2015

By way of this application, amendment in the headnote and prayer clause is sought as the offence under Section 333 of the Indian Penal Code was added later on.

The application is allowed, as prayed for.

CRM-M No. 1825 of 2015

Though Sukhdev Singh was named as Sarpanch in the FIR, but the complainant, i.e. Naib Tehsildar in an inquiry before the DDPO, Patiala,

stated that he had been told by the people at the spot that Sukhdev Singh was the Sarpanch of village Bhaini Sahib and he had got his name written. At the time of inquiry, he stated that he had seen Sukhdev Singh and he was not the person present at the spot. This statement was made on 25.03.2015 (Annexure P4).

The FIR shows that the petitioner was categorically named and he was stated to be the leader of the mob along with his nephew Sandeep Singh and at that time there was no mistake about his identity made by the complainant. It was not given that the name of the petitioner was mentioned at the instance of the persons present at the spot.

State counsel has submitted that nine other criminal cases are pending against the petitioner for the offences under various sections of the Indian Penal Code.

It appears that the complainant-Naib Tehsildar has now sided with the petitioner for reasons best known to him and he is trying to save the petitioner. There is no ambiguity regarding the identity of the petitioner in the FIR.

In view of the facts and circumstances given above, the request of the petitioner is declined and the petition is dismissed.

(NAVITA SINGH)
JUDGE

11.05.2015
Ramesh