

CRM-M-1896-2015 (O&M)

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

**CRM-M-1896-2015 (O&M).
Decided on: January 19, 2015.**

Jagjit Singh

..... Petitioner(s)

Versus

State of Punjab and another

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Deepak Sharma, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL)

Petitioner has been booked in a criminal case for having misappropriated paddy.

Counsel for the petitioner has, inter alia, argued that the investigation is being not conducted fairly as the material documents and evidence are being ignored and further that investigation is being conducted under Sections 406 & 420 IPC which are anti thesis. It is also submitting that the dispute is of civil nature.

I have heard the counsel for the petitioner.

It is a fact that till date challan has not been presented. The petition appears to be pre-mature.

So far as the grievance of the petitioner that the

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material documents and evidence are not being considered is concerned, it is always open to the petitioner to approach the Investigating Officer or senior police officials for compliance of Section 163 (2) Cr.P.C. which prohibits the investigating agency from ignoring any evidence brought voluntarily to the notice of the investigating agency. The petitioner has already furnished bank guarantee to secure the loss alleged to have been caused on account of misappropriation.

Dismissed, at this stage, as pre-mature as the prosecution has not opted to present challan till date.

January 19, 2015.
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(M.M.S. BEDI)
JUDGE