

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

CRM No.M-30803 of 2015 (O&M)

Date of decision: 05.12.2015

Davinder Singh and ors.

...Petitioners

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Amaninder Preet, Advocate for the petitioners

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Charanjit Singh.

Jitendra Chauhan, J. (Oral)

Reply on behalf of respondent Nos.1 to 3, filed in the Court, is taken on record.

The learned State counsel submits that after thorough investigation untraceable report (Annexure P-2) has been prepared and the same was filed in the competent court on 09.06.2015. The competent court has not accepted the said report in the absence of Investigation Officer, SI Jagdish Lal. As per the reply filed, the factum of preparation of untraced report is duly acknowledged, however, the learned State counsel submits that SI Jagdish Lal, after his superannuation has settled abroad and not available to depose before the Court.

In these circumstances, without adverting to the merits of the case, the present petition is disposed of with a direction to the trial Court to consider and decide the untraceable report (Annexure P-2) filed by the prosecution, within three months from today.

**(JITENDRA CHAUHAN)
JUDGE**

05.12.2015
ashok