

CRM-M-35075-2012

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

CRM-M-35075-2012

Date of Decision:23.04.2015

Gurdip Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. Dinesh Nagar, Advocate,
for the petitioner.

Mr. S.S.Chandumajra, DAG, Punjab.

Mr. P.K.S.Phoolka, Advocate,
for respondent no.4.

Mr. Deepak Aggarwal, Advocate,
for respondent no.5.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure for handing over the investigation of the case in hand to some independent/premier investigating agency to investigate the biased and malafide role of ASI Rup Singh-respondent no.3 and other officials of Police Station Thermal, Bathinda on the basis of complaints made by petitioner for killing his son-Lakhwinder Singh @ Lucky and cremation of

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his son without informing the petitioner. A prayer has also been made that the investigating agency may be directed to look into the conduct of respondent no.3 who is hand in glove with respondents no.4 and 5 and shielding the unidentified accused involved in the heinous crime. It is also prayed that direction may be issued to register appropriate criminal case against the accused named in the investigation/inquiry.

I have heard learned counsel for the parties and perused the record.

On 01.07.2014, a Coordinate Bench of this Court passed the following order:

"Heard.

Learned State counsel submits that the police has not recorded any FIR on the complaint of the petitioner but has enquired the case and found that all allegations levelled in the complaint are not substantiated.

It is quite strange that the police, despite receipt of complaint disclosing commission of cognizable and serious offence, has not taken any step to register the FIR.

The FIR on the complaint of the petitioner (Annexure P-7) be registered. The matter be further investigated and status report be submitted on the next date."

In pursuance of that order, FIR has been registered. Learned State counsel after seeking instructions from the investigating officer states that FIR has been registered and investigation is being carried out. In these circumstances, this petition has virtually become infructuous.

Dismissed as infructuous, at this stage.

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It is made clear that investigation shall be carried out within six months from today which will be supervised by the concerned Senior Superintendent of Police as well as Inspector General of Police of the area.

If the petitioner is not satisfied with the investigation carried out by the police, he will be at liberty to approach this Court for further relief.

23.04.2015
parveen kumar

(Paramjeet Singh)
Judge