

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-34221 of 2015

Date of Decision: October 07, 2015

Gagandeep Singh @ Gaganjeet Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGHPresent: Mr.Navkiran Singh, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for calling report from respondent No.2-Director Bureau of Investigation, Punjab which is a wing of the Punjab police and has a mandate to look into the complaints against the Punjab police officials as the complaint dated 25.09.2015 disclosed serious allegations.

I have heard learned counsel for the petitioner and have gone through the record.

The FIR has already been registered and challan has already been presented under Sections 353, 186 and 506 IPC. Learned counsel for the petitioner argued that it is a false case which has been registered against the present petitioner, when the police officials asked for the bribe money etc. As challan has already been presented before learned JMJC, Ludhiana, then trial Court is to

determine the fact whether prosecution version is correct one or defence version is probable, on the basis of the evidence to be produced before the trial Court. At this stage, without evidence, it cannot be held that the version given by the accused-petitioner is correct one or not. The report, at this stage, cannot be called to get prove the defence version.

Therefore, finding no merit in the present petition, the same is dismissed.

However, the petitioner will be at liberty to take all the pleas before the trial Court as well as to avail alternative remedies available to him as per law.

October 07, 2015
Vgulati

(INDERJIT SINGH)
JUDGE