

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

**CRM-M No. 7329 of 2015 (O&M)
Date of decision: 21.05.2015**

Swaranjit Singh Petitioner.

Versus

State of Punjab and others Respondents.

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present:- Mr. Vikas Cuccuria, Advocate, for
Mr. Ranjit Chawla, Advocate, for the petitioner.

NAVITA SINGH, J. (ORAL)

An order was passed on 03.04.2014 (Annexure P-2) by the Additional Chief Judicial Magistrate, Pathankot, on receiving cancellation report, that before proceeding further it was deemed appropriate to direct the Station House Officer concerned to investigate about the authenticity of the affidavit sworn by Swaranjit Singh on 11.08.2003 before the Executive Magistrate and to further investigate regarding the sanctioning of mutation on the basis of Will dated 14.08.1999. In the end, the prosecution was directed to present the cancellation report after making the above-said investigation.

It is not understandable as to how the Additional Chief Judicial Magistrate, Pathankot, directed the prosecution to file the cancellation report though further investigation was yet to be conducted. After said investigation, the police may or may not file the cancellation report, but the direction given by the Court regarding presentation of the cancellation

report is something beyond comprehension.

Counsel for the petitioner submits that more than a year has passed after passing of the above order, but nothing has been done by the investigating agency.

Therefore, Station House Officer concerned, i.e. respondent No. 4, is directed to make investigation as directed by the Additional Chief Judicial Magistrate, Pathankot, and submit the final report within two months from the date of receipt of copy of this order and also Deputy Superintendent of Police, Headquarters, Pathankot, shall supervise further investigation which is ordered to be conducted and completed by the Station House Officer concerned, i.e. respondent No. 4, within the time frame given above.

A copy of this order be sent to Mr. Randhir Verma, who was Additional Chief Judicial Magistrate, Pathankot, at the relevant time.

The petition stands disposed of accordingly.

(NAVITA SINGH)
JUDGE

21.05.2015
Ramesh