

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

**CRL. MISC. No.M-30164 OF 2016
DATE OF DECISION : 5th OCTOBER, 2016**

Harbhajan Singh @ Sucha Singh

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Krishan Singh Dadwal, Advocate for the petitioner.

Mr. Shilesh Gupta, Additional Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

Learned counsel for the State makes a statement that upon consideration of the entire matter, the Police Department has ultimately filed fresh report and supplementary challan upon making fresh enquiry.

Learned counsel for the petitioner-Harbhajan Singh @ Sucha Singh submits that the supplementary challan was filed because this Court observed about the prima facie existence of material against the petitioner and, therefore, no prejudice should be caused to the petitioner-Harbhajan Singh @ Sucha Singh for defending himself or for putting to challenge the supplementary challan.

In my opinion, this Court had prima facie observed about the inaction on the part of the police in not properly finding out the existence of the case against the petitioner. Thus, observations were made by this Court to sensitize the Police Department to find out whether further

investigation can be made. It is in that context, the supplementary challan has been filed but then the defence of the petitioner and his right to challenge the investigation, inquiry and the challan, cannot be curtailed in any manner. With this clarification this petition is disposed of.

5th OCTOBER, 2016
‘raj’

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.