

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

**CRL. MISC. No.M-35713 OF 2014 (O&M)
DATE OF DECISION : 16th SEPTEMBER, 2016**

Bakshish Singh

.... Petitioner

Versus

The State of Punjab

.... Respondent

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

* * * *

Present : Mr. Rajesh Gupta, Advocate for petitioner.

Mr. K. S. Sidhu, Deputy Advocate General, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

Following are the prayers made by the petitioner in the present petition:

(i) That the official respondents may kindly be directed to handover the investigation in FIR No.25 dated 15.05.2014 registered under Section 306, 148 and 149 IPC at Police Station Taragarh, District Pathankot registered against private respondents to some independent agency like CID, Crime Branch in alternative Special Investigation Team may kindly be ordered to be constituted or investigation may kindly be ordered to be transferred to some Senior officer not below the rank of Superintendent of Police, who shall investigate the matter in question and take appropriate legal action against the accused persons i.e. respondents No.4 and 9, as per law in the interest of justice.

(ii) That directions may kindly be issued to the official respondents to protect the life and liberty of the petitioner and his family members/relatives from the hands of the respondents No.4 to 9, because

the respondents No.4 to 9 had threatened and are continuously threatening the petitioner and his family members/relatives to not to pursue the matter before police officials.

(iii) That directions may kindly be issued to respondent No.3 for not to pressurize the petitioner to settle/compromise the matter with private respondents.

(iv) That to issue any other appropriate order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.

Heard learned counsel for the rival parties.

Learned State counsel, on instructions from ASI Gurinderpal Singh, categorically makes the statement that after investigation the prosecution decided to file cancellation report, which shall be filed before the competent Magistrate. Not only that, according to him notice has been issued to the petitioner/complainant for the hearing of cancellation report and the case is fixed for 20.09.2016.

In that view of the matter, the present petition is disposed of reserving the liberty in favour of the petitioner to oppose the cancellation report and to seek further investigation as the case may be.

Disposed of accordingly.

16th SEPTEMBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

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