

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41500-2015

Date of decision:- December 07, 2016

KARAM SINGH

..PETITIONER...

VERSUS

STATE OF PUNJAB AND OTHERS

..RESPONDENTS...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. Randeep Singh Rana, Advocate,
for the petitioner.

Mr. B.S. Cheema, DAG, Punjab.

JASPAL SINGH, J.

By virtue of instant petition preferred under Section 482 Cr.P.C., the petitioner has sought direction to respondents No. 1 to 3 to protect the life and liberty of the petitioner as well as his family members at the hands of respondents No. 5 to 10 or to get an inquiry conducted in a fair and impartial manner in respect of FIR No.140, dated 03.09.2015, under Sections 306, 148 and 149 IPC, Police Station Fatehgarh Sahib, District Fatehgarh Sahib (Annexure P-3) as well as directing respondents No. 1 to 4 to take action on the representation dated 18.09.2015 (Annexure P-5).

2. At the very outset of the arguments, it has been submitted by Mr. B.S. Cheema, Deputy Advocate General, Punjab that after due inquiry, challan has already been presented against private respondents whereas

respondent No.5-Sohan Singh, SI posted at Police Station Amloh, District Fatehgarh Sahib has been found innocent.

3. There are direct allegations qua the role played by respondent No.5-Sohan Singh-SI that he drove Charanjit Singh (deceased) to put an end to his life. There is a suicide note and name of Sohan Singh-SI as well as the role attributed to him figures in the said note but for the reasons best known to the chest of the investigating agency, no action was being taken against the said person. As such, the investigation conducted by the investigating agency cannot be said to be fair, impartial and satisfactory. Thus, the proceedings before the trial court are stayed and the matter is transferred/entrusted to CBI Chandigarh.

4. Let all the papers/file be handed over to CBI within a period of 10 days from the date of receipt of certified copy of this order and CBI would conduct the investigation in accordance with law including the role played by SI Sohan Singh as well as genuineness of registration of case(s) against the petitioner or his family members. It is expected that the CBI would complete the investigation in this case within a period of 6 months.

5. A copy of this order be sent immediately to the office of CBI, Sector 30, Chandigarh for its compliance.

December 07, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No