

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

CRM-M No.5047 of 2016

Date of decision: October 26, 2016

Charanjit Singh @ Charan

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Talwinder Singh, Advocate for
Mr. G.N. Malik, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Section 482 of Code of Criminal Procedure, petitioner has sought handing over the investigation of FIR No.94 dated 27.12.2012, under Sections 302, 34 IPC registered at Police Station Bakshi Wala, District Patiala to Central Bureau of Investigation.

In response to notice of motion, the official respondents filed reply by way of affidavit of Varinderjeet Singh, PPS, Deputy Superintendent of Police, City-II, Patiala. Subsequent thereto, an additional affidavit of Ramandeep Singh Bhullar, PPS, Deputy Superintendent of Police City-II, Patiala was filed in compliance of the order dated 10th May, 2016 passed by this Court.

Paragraph Nos.2 and 3 of the additional affidavit are relevant for the proper disposal of the instant petition which reads as under:-

2. *“That in compliance to the order dated 10.05.2016 passed by this Hon'ble Court, it is submitted that the Superintendent of Police, City Patiala conducted the investigation in case FIR No.94 dated 27.12.2013, under Sections 302/34 IPC registered at Police Station Bakhshiwala (District Patiala) and submitted his report vide letter No.773/2/S.P./City/PTL dated 30.05.2016. Copy of enquiry report is attached herewith as Annexure R-1.*
3. *That as per the investigation conducted by the Superintendent of Police, City Patiala, it has been mentioned that the complainant-Charanjit Singh could not produce any such solid proof or witness from it can be proved that Gurdeep Singh alias Deep, Surinderpal Singh Goga, Palwinder Singh, Kaldev Singh s/o Surinderpal Singh, Gagandeep Singh alias Gaggi son of Harbans Singh residents of Kansuha Kalan has thrown deceased Malkiat Singh after committing his murder. As per his enquiry/investigation, it has been found that Malkiat Singh was expired due to fallen in water under the influence of liquor. He agreed with the earlier cancellation reports filed in this case and recommended to move cancellation report in this case.”*

A glance at the aforesaid paragraphs makes it crystal clear that investigation was conducted in a proper and fair manner and the Investigating Agency has come to the conclusion that the allegations levelled are false. Ultimately, cancellation report has already been moved in the Court of Jurisdictional Magistrate.

In view of the submission of the cancellation report, instant petition has rendered infructuous. Thus, it stand disposed of accordingly.

However, petitioner shall be at liberty to have recourse to the other remedies available to him under law.

October 26, 2016

m. sharma

(JASPAL SINGH)

JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No