

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

CRM No.M-7178 of 2016 (O&M)

Date of Decision: August 19, 2016

Kamaljit

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.H.S.Dhandi, Advocate
for the petitioner.

Mr.Varun Sharma, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. against State of Punjab and other respondents for issuance of directions to the official respondents to conduct free and fair investigation in the matter under the supervision of senior IPS officer or in the alternative to constitute a Special Investigation Team to enquire into the present case wherein the petitioner and his family members were targeted on account of their castes and brutal injuries were caused on the father of the petitioner etc.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As argued, challan has already been presented against the accused in the Court but the charges have not been framed yet by the Court. Learned counsel for the petitioner argued that the petitioner remained admitted in the hospital for more than 20 days, therefore, the challan should have been presented under Section 326 IPC.

As the charges have not been framed yet by the trial Court, therefore, the petitioner can argue his case before the trial Court qua the charges. However, as the challan has already been presented after the completion of the investigation, therefore, now, this petition for giving directions for fair investigation, has become infructuous.

Therefore, the present petition is dismissed as having been rendered infructuous with the liberty to the petitioner to raise all the pleas before the trial Court at the time of framing of the charge.

August 19, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No