

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

(120)

CRM-M-9135-2016

Decided on: March 15, 2016.

Joginder Singh

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ghulam Nabi Malik, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

This is a petition under Section 482 Cr.P.C for a direction to Senior Superintendent of Police, Ludhiana (Rural) and Station House Officer, Police Station Raikot, District Ludhiana (Rural) for handing over the investigation to Crime Branch or any other independent agency as the fair investigation is not being conducted.

Learned counsel for the petitioner has submitted that respondent No.5 who is a Patwari, has not been arrayed as accused, despite he having played an active role in manipulation of the record.

Learned counsel for the petitioner informs that the challan has not yet been presented in the present case.

Notice to Advocate General, Punjab.

On asking of the Court, Ms. Harpreet Kaur Athwal, DAG, Punjab, present in the Court, accepts notice. Copy given.

This petition is disposed of with a direction that the grievance raised by the petitioner vide application Annexure P-5 dated 19.01.2016 will be looked into and the culpability of the accused named in the FIR would be fairly considered before preparation/presentation of the challan.

Disposed of with above said direction.

Nothing said in this order will be deemed to be an expression of opinion on the allegations of the petitioner.

(M.M.S. BEDI)
JUDGE

March 15, 2016
harsha