

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

CWP No.12717 OF 2016 (O&M)
DATE OF DECISION : 21st JUNE, 2016

Dev Raj @ Dev Behl

.... Petitioner

Versus

State of Punjab & others

.... Respondents

**CORAM : HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

* * * *

Present : Mr. Atul Nanda, Senior Advocate with
Mr. Mr. Karan Bharihoke, Advocate and
Mr. Gaurav Chopra, Advocate for the petitioner.

* * * *

M. JEYAPPAUL, J. (ORAL)

The petition is primarily filed for entrustment of the investigation to the Central Bureau of Investigation and also to give direction to the trial court to await the outcome of the investigations qua the petitioner.

Notice of motion

On the asking of the Court, Ms. Sudeepti Sharma, DAG, Punjab accepts notice on behalf of the State.

Heard the elaborate submissions made by learned senior counsel appearing for the writ petitioner and the State counsel.

Perusal of the order passed by the Court in CRM-M-8184-2015 on 07.10.2015 shows that a direction has been issued to the Special Judge Fatehgarh Sahib to conclude the trial of the criminal case pending against the writ petitioner and others by 30.06.2016. Whereas, in the

order dated 27.05.2016 passed in CM-5291-CWP-2016 in CWP-88-2014 the Coordinate Bench of this Court directed the Special-cum-Supervisory Investigating Team to complete the task entrusted to it on or before 31.07.2016.

The senior counsel appearing for the writ petitioner convincingly submitted before the court that if the trial is concluded as per the directions of this Court as on 30.06.2016, the report that may be filed by the SIT, may not be enure to the benefit of the writ petitioner. In other words, even before the innocence or otherwise of the writ petitioner is decided by SIT on or before 31.07.2016, the trial would have been concluded by 30.06.2016 as per the directions issued by the Co-ordinate Bench of this court.

In view of the above facts and circumstances, modifying the earlier deadline fixed for disposal of the trial, a direction is issued to the trial Court to conclude the trial on or before 30.08.2016, as the SIT constituted by this Court is supposed to file its report on or before 31.07.2016.

Considering the composition of SIT, we are of the view that prayer for entrustment of the investigation to CBI merits no consideration.

The writ petition is disposed of accordingly.

21st June, 2016
'raj'

(M. JEYAPPAUL)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE