

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

COCP No.1716 of 2017
Date of Decision : 14.07.2017
.....Petitioner

Sarup Singh

versus

Harjeet Singh

....Respondent

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

Present: Mr. Harchand Singh Batth, Advocate
for the petitioner.

Ms. Jasleen Kaur Sidhu, AAG, Punjab.

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

Petitioner is complainant in an FIR registered under Section 353/186 IPC. He had filed a petition under Section 482 Cr.P.C. for issuing directions to the police authorities to fairly conduct investigation. He had also prayed that the challan should be prepared and accused should be arrested. Said petition was disposed of vide order dated 04.08.2016 by this Court directing that the representation of the petitioner should be disposed of by passing a speaking order within a period of three weeks.

Complaining that the order dated 04.08.2016 has not been complied with, the petitioner has filed the present contempt petition against the Senior Superintendent of Police, Tarn Taran.

Notice was issued to the Advocate General for informing about the status of the FIR, which was registered on 11.05.2016.

Inspector SHO Rajesh Kakkar, along with Investigating Officer ASI Puran Singh is present in the Court. A perusal of the police file brought by him indicates that the investigation is being conducted and the statements of number of residents were recorded on 05.06.2017.

It is not out of place to observe here that as per judgment in *Abhinandan Jha and Ors. Vs. Dinesh Mishra AIR 1968 SC 117*, no direction can be issued to present challan. While disposing of the petition under Section 482 Cr.P.C. a mere direction was given to fairly conduct the investigation. It has been informed by the Investigating Officer that the investigation is likely to be concluded in near future i.e. within a period about 2-3 months and final decision will be taken either to present report under Section 173(2) Cr.P.C. or to file cancellation report, as the circumstances warrant. The original file seen and returned.

In view of the above said circumstances it cannot be said that there has been any lapse on the part of the respondent in conducting investigation or that order passed by this Court has not been complied with.

The contempt petition is disposed of accordingly.

July 14, 2017

Manju

(M.M.S.BEDI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No