

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

CRL. MISC. No.M-16233 OF 2017
DATE OF DECISION : 28th SEPTEMBER, 2017

Jasdeep Singh

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Damanpreet Singh Bhikhi, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J.

Rule.

Heard forthwith with consent of counsel for the rival parties.

Following is the prayer made by the petitioner in this
petition:

“Petition under Section 482 Cr.P.C. with a prayer
for issuance of directions to the respondents No.1 to
5 for concluding the enquiry in FIR No.157, dated
07/09/2015, Under Section 420, 120-B IPC, P.S.
Sadar, Ludhiana (Annexure P- 1) as per law in a
lawful period; as already more than sufficient time
has been availed by the official respondents i.e.
more than 19 months have already elapsed from the
date of registration of FIR.”

Learned State counsel makes statement on instructions from ASI Mohan Singh, that after filing of the FIR pursuant to the complaint filed by the petitioner investigation was made and has been completed. The challan has also been filed upon accused persons before the trial Court. He therefore, submits that the grievance made by the petitioner stands redressed.

However, the counsel for the petitioner does not agree. He submits that the investigating machinery has not properly made investigation relating to the fake licence in the first place and secondly the investigating officer has not added the proper Sections in the challan though offences are made out against the accused persons.

In my opinion, the petitioner has alternate efficacious remedy before the Magistrate before whom the challan was filed, to make all these grievances before him and also pray for further investigation. Not only that, the petitioner can also request the trial Court to add the Sections which have not been added by the investigating officer while framing the charge.

In that view of the matter, the petition is disposed of with liberty to raise all the pleas raised herein, before the trial Court in accordance with law.

28th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*