

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

CRM No.M-36854 of 2017 (O&M)

Date of Decision: October 03, 2017

Gulbahar Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Inder Pal Singh, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for directing official respondents No.2 to 4 to arrest the accused persons in case FIR No.61 dated 08.06.2017 under Sections 326, 323, 324, 452, 148 and 149 IPC registered at Police Station Verowal, District Tarn Taran, as they are freely roaming in the village and giving threats to the petitioner and his family etc.

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

First of all, this Court cannot interfere in the investigation. It is the prerogative of the Investigating Officer to conduct investigation and if the Investigating Officer feels that accused are involved in the commission of the offence, then he can arrest them as per law or he may also found them

innocent during investigation. It is settled law that the Court cannot direct

the Investigating Officer to conduct the investigation in one way only, which amounts to interference of the Court in the investigation of the case. Therefore, this direction to the Investigating Officer or respondents No.2 to 4 to arrest the accused cannot be given. It is for the Investigating Officer whether to arrest or not to arrest the accused.

I have gone through the representation given to the SSP dated 24.07.2017. No particulars that on which date, in which month and year, at which place and how, the threat has been given. A vague plea has been taken by simply saying that accused threatened them to kill and that petitioner cannot harm them by registering FIR against them.

In view of the above discussion, I do not find any merit in the present petition and the same is dismissed.

October 03, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No