

**CRM-16036 and 16037 of 2017 in/and
CRM-M-45571-2016**

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

**CRM-16036 and 16037 of 2017 in/and
CRM-M-45571-2016
Date of Decision: 22.05.2017**

Kuldeep Singh Bedi

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Onkar Singh Batalvi, Advocate,
for the applicant-petitioner.

Mr. Rajesh Mehta, Addl. Advocate General, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

**CRM-16036 and 16037 of 2017 in
CRM-M-45571-2016**

At the oral request of learned counsel for the parties, the main case itself is taken on Board for hearing today.

Learned counsel for the State, on instructions from ASI Ranjit Singh, who is present in Court to assist him, submits that the petitioner has already been taken into custody and in fact even the report under Section 173 Cr.P.C. has been prepared arraigning him therein as an accused.

An affidavit of Sh. Lakhbir Singh, Superintendent of Police (Investigation), Pathankot, dated 10.04.2017, has also been filed by learned State counsel in Court today, in which it is stated that other than the petitioner, Kuldeep Singh Bedi, the complainant himself, i.e. Ginni Mahajan, and two other employees of PUNGRAIN, namely Amardeep Singh and Surjit Singh, have already been charge-sheeted by their own department.

Learned counsel for the State further submits that however, at this stage, it is actually only the petitioner who has been arraigned as an accused in the report

prepared under Section 173 Cr.P.C.

Learned counsel for the petitioner however submits that even as per the affidavit itself, the petitioners' co-accused having been already charge-sheeted in departmental proceedings by the Corporation itself, i.e. PUNGRAIN, there would be no reason for the co-accused, including the complainant and the other two employees, to not have been arraigned as accused in the report under Section 173 Cr.P.C.

Having heard learned counsel for the parties, considering the fact that some investigation has obviously been carried out and some report has been submitted to the DIG, arraigning various persons as accused therein, at this stage, it is considered inappropriate for this Court to make any comment on the guilt or innocence of either the petitioner or the other persons initially arraigned as co-accused, lest it would prejudice them in the trial which would commence, if the report under Section 173 Cr.P.C. is accepted.

Consequently, this petition is disposed of with a direction that all the parties concerned would be at liberty to take all their remedies before the trial Court.

Obviously, if the trial Court also finds the involvement of any other persons in the alleged offence committed, that Court would exercise its own powers to bring the culprits to book, if they are seen to be involved.

It is made clear that this Court has made no comment on the actual merits of the allegations made against any persons, including the petitioner himself.

May 22, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.