

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

CRR No.4480 of 2017 (O&M)
Date of Decision: December 01, 2017

State of Punjab

...Petitioner

VERSUS

Bahadur Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ayush Sarna, Asstt. Advocate General, Punjab
for the petitioner-State.

INDERJIT SINGH, J.

The present revision petition has been filed by petitioner-State against respondent Bahadur Singh, challenging the impugned order dated 01.09.2017 passed by learned Addl. Sessions Judge, Barnala.

I have heard learned State counsel and have gone through the record.

From the record, I find that an application was filed before learned Court of Session seeking discharge of accused Bahadur Singh. Learned Addl. Sessions Judge, Barnala gave interim bail to accused Bahadur Singh and in the meantime, the trial Court also asked the Chief, Special Task Force, Punjab to further investigate the matter. Even the police file was marked and also the stamp of the Court was ordered to be affixed on each page of the police file, so that it may not be tampered at

Learned State counsel argued that re-investigation cannot be allowed. The Court also cannot ask the investigating agency to present the charge-sheet against the accused.

After hearing learned State counsel and after going through the record, first of all, I find that there is nothing in order to show that re-investigation has been ordered by the trial Court. Rather in para No.11, it is clearly written that copy of the order be dispatched to the Chief, STF, Punjab for conducting further investigation in the case. Further, the Court has asked STF to make an endeavour to complete the further investigation of the case expeditiously. There is nothing in the order that it amounts to interference in the investigation of the case. Learned trial Court has nowhere ordered to present the charge-sheet under Section 173 Cr.P.C. against the accused. The Court below has only asked the completion of investigation expeditiously. No other point has been argued by learned State counsel.

In view of the above discussion, I find that the impugned order dated 01.09.2017 passed by learned Addl. Sessions Judge, Barnala, is correct, as per evidence and law and does not require any interference from this Court.

Therefore, finding on merit in the present revision petition, the same is dismissed.

December 01, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No