

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

**Criminal Misc.No.M-2855 of 2018 (O&M)
Date of Decision : 23.01.2018**

Satnam Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

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

Mr. V.G.Jauhar, Senior DAG, Punjab

RAJ SHEKHAR ATTRI, J. (Oral)

Petitioner has preferred this petition under Section 482 Cr.P.C. for issuance of direction to respondent Nos.2 and 3 to conduct the investigation expeditiously and properly in FIR No.186 dated 01.09.2017, registered under Sections 420, 120-B IPC at Police Station City Tarn Taran, District Tarn Taran and to arrest the main accused involved in the fraud committed by the accused persons with the petitioner and to submit the challan before the competent court of jurisdiction.

Heard.

Hon'ble Supreme Court in case Sakiri Vasu vs. State of U.P. and others 2008 AIR (SC) 907 has held in para No.24 as under:-

“In view of the abovementioned legal position, we are of the view that although [Section 156\(3\)](#) is very briefly worded, there is an implied power in the Magistrate under [Section 156\(3\)](#) Cr.P.C. to order registration of a criminal offence and /or to direct the officer in charge of the concerned police station to

hold a proper investigation and take all such necessary steps that may be necessary for ensuring a proper investigation including monitoring the same. Even though these powers have not been expressly mentioned in [Section 156\(3\)](#) Cr.P.C., we are of the opinion that they are implied in the above provision.”

The instant petition stands disposed of with a direction to the official respondents to conduct investigation in a fair and faithful manner and expeditiously and submit the report before the Illaqa Magistrate, who will monitor the investigation.

23.01.2018
mamta-M

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No