

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

203

CRM-M-36868 of 2011 (O&M)
Date of Decision:- 10.05.2018

Sardool Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. APS Mann, Advocate for the petitioner.

Mr. A.A.Pathak, Addl. A.G. Punjab.

Mr. Rajeender Kumar, Advocate for
Mr. Aman Pal, Advocate for respondent No.2.

P.B. BAJANTHRI, J.(ORAL)

In the instant petition, petitioner has sought quashing of FIR No. 179 dated 12.11.2010 under Sections 420/406 IPC registered at P.S.City, Kapurthala (Annexure P1). On 12.04.2013 this court directed Special Investigation Team to seek permission from the trial court to conduct further investigation in the matter. In compliance to the aforesaid direction, SIT consists of Sub-Inspector/SHO, DSP (Sub-Division), Superintendent of Police (Investigation) Kapurthala prepared report. In the report it is stated as under:-

"So that reasons SIT reached in their final report on the basis of statement of witnesses and Video-CD(1) Sardool Singh s/o Banta Singh (2) Geeta w/o Surjit Singh alias Mintu (3) Mandeep Singh alias Happy s/o Sardool Singh all resident of Chuharwal P.S. City Kapurthala were found innocent but Surjit Singh alias Mintu s/o Sardool Singh r/o Chuharwal, Distt. Kapurthala found guilty in

*case FIR 179 dated 12.11.2010 U/S 420, 406 IPC PS
City, Kapurthala."*

It is learnt that the aforesaid report of SIT dated 21.10.2016 is not presented before the trial court as required to file u/s 173 (8) Cr.P.C. because the petitioners are found innocent. Therefore, State is hereby directed to produce copy of this report in the shape of 173(8) Cr.P.C. for taking further action in the matter when they have found that petitioners- Sardool Singh, Geeta and Mandeep Singh are stated to be innocent. Concerned official is hereby directed to submit report within a period of 4 weeks from today. Thereafter, trial court is hereby directed to consider report and pass appropriate order within a period of two weeks from the date of receipt of the SIT report.

With the above observation, petition stands disposed of.

10.05.2018
pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No