

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48004-2018 (O&M)

Date of Decision:- 31.10.2018

Pardeep Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Sarika Gupta, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

By way of filing this petition, the petitioner seeks issuance of direction to respondents No.2 and 3 not to hold a second inquiry in case FIR No. 109, dated 16.5.2017, under Sections 323, 324 IPC, Police Station Tanda.

Learned counsel has submitted that after lodging of the FIR on 16.5.2017, the matter was inquired into at length by the police and the allegations were found to be false and the Deputy Superintendent of Police (Investigation) had recommended filing of a cancellation report vide his report dated 19.6.2017 but despite a period of more than one year having elapsed the needful has not been done and rather the police is now proceeding to conduct another inquiry in the matter. Learned counsel has submitted that holding multiple inquiries is not permitted under law and in

this context placed reliance upon a judgment passed by this Court vide judgment dated 12.1.2009 in CRM-M-18244-2018 titled as Jaswinder Singh Vs. State of Punjab and others.

Having heard the learned counsel for the petitioner and having perused the judgment relied upon by learned counsel for the petitioner, I find that there is certainly no dispute that multiple inquiries have been deprecated and should not be resorted to. However, the present case cannot be said to be a case of multiple inquiries as it is only once the matter was inquired into. In any case, there is no absolute bar on getting the matter inquired into the second time. Since, in the present case the FIR was lodged way back on 16.5.2017 and it appears that the matter has already been inquired into once, therefore, the petition is disposed of with a direction to Senior Superintendent of Police, Hoshiarpur (respondent No.2) to look into the matter and to ensure that a final report is submitted expeditiously.

A copy of this order be sent to Senior Superintendent of Police, Hoshiarpur (respondent No.2) so as to enable him to do the needful expeditiously, preferably within a period of 6 months from today.

October 31, 2018

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No