

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

CRM-M-6288 of 2017
Date of Decision: 03.07.2018

Chander Dev Sikri

....Petitioner

Versus

Union Territory Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Manjeet Singh, Advocate, for the petitioner.
Mr. Gautam Dutt, APP, U.T., Chandigarh.
Mr. Anil K. Bhardwaj, Advocate, for the accused.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for setting aside orders dated 12.12.2016 (Annexures P-15 to P-17) of the trial Court, whereby applications of the petitioner under Section 156(3) Cr.P.C. for issuance of direction to the investigating agency to conduct fair and impartial investigation in accordance with law, were dismissed.

According to learned State counsel, as per instructions of SI Bhim Sen, final report under Section 173 Cr.P.C. and supplementary report have been filed against two accused and the charges have also been framed against both of them. Two prosecution witnesses already stood examined.

In view of above circumstance, this Court is of the considered view that the petitioner can seek appropriate legal remedy in accordance with law before the trial Court during trial. This Court is not the proper forum after filing of the final report under Section 173 Cr.P.C., to order re-investigation of the matter, which may amount to hindrance in trial.

In view of above, present petition is dismissed with liberty to the petitioner to pursue his remedy before the trial Court.

July 03, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No