

CMs-9395 and 9399-CII-2019 in/and
COCP-91-2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CMs-9395 and 9399-CII-2019 in/and
COCP-91-2017

Date of Decision: April 30, 2019

Mahant Triveni Dass

.....Petitioner

Versus

Harkawalpreet Singh Khakh, Senior Superintendent of Police (Rural),
Amritsar

.....Respondent

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Vaibhav Narang, Advocate for the petitioner.

Mr.P.S.Bajwa, Addl.AG, Punjab with
Mr.Aditya Sharda, AAG, Punjab.

Mr.Kanwaljit Singh, Sr.Advocate with
Mr.Ashish Soi, Advocate for the applicant.

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NIRMALJIT KAUR, J. (ORAL)

The contempt petition was filed for wilful and deliberate violation of the order dated 11.11.2016 passed by this court in CRM-M-40515 of 2016 titled as **Mahant Triveni Dass vs State of Punjab and others** directing the SSP Amritsar to look into the representation of the petitioner with the further averment that the respondents were pressurizing the petitioner to withdraw FIR No.95, dated 29.08.2016, under Sections 302, 506 and 34 IPC, 25, 27, 54, 59 of the Arms Act, registered at P.S.Lopoke, District Amritsar (Rural).

This Court after hearing passed various orders on different dates, i.e. 04.12.2018, 21.01.2019, 27.02.2019 as well as 13.03.2019. The said orders be read as part of the present order.

On the last date, i.e. 13.03.2019, this Court directed that a copy of the said order be placed before the Director General of Police, Punjab to examine the entire record and also examine the conduct of any police officials involved in the present case trying to save the real accused with a further direction to place on record the status report.

Today, status report by way of an affidavit of Mr.Dinkar Gupta, IPS, Director General of Police, Punjab, dated 29.04.2019 has been placed on record. As per the said affidavit, the Officers responsible for the lapses have been short-listed and enquiries have been initiated against the officials mentioned at Sr.Nos.(iii) to (vii), as mentioned in para 4 of the said affidavit and sanction is being sought for officers mentioned at Sr.Nos.(i) and (ii) and after interacting with the Special Investigation Team of the District Police, which is investigating the case, he has been informed that SIT is making earnest efforts to arrest the remaining accused on the basis of evidence available on record including statements of witnesses recorded under Section 164 Cr.P.C. It is also stated that in order to obtain leads for investigation in the abovesaid case, Lie Detection Test/Polygraph Test of various persons acquainted with the facts and circumstances of the case would be got conducted by following due process of law. It has also been stated that directions have also been issued to the Special Investigation Team to use scientific methods and forensic tools to take the abovesaid case to its logical conclusion.

In view of the above, no further order is required to be passed in the present contempt petition. The Court has no doubt that from henceforth, the investigation shall be conducted in a fair and honest manner and in

accordance with law.

Disposed of in the above terms.

In view of the above order, learned counsel for the applicant
does not wish to press the applications, at this stage.

The same are dismissed accordingly.

April 30, 2019
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(NIRMALJIT KAUR)
JUDGE

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|---------------------------------------|---------------|
| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |