

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

**CRM-40110-40111-2019
in /and
CRA-S-230-SB-2016
Date of decision: 20.12. 2019**

Sanjeev Kumar @ Labhi

.....Appellant

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Amit Gupta, Advocate for
Mr. Vipin Mahajan, Advocate for the appellant

Mr. Hittan Nehra, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

CRM-40110-2019

Allowed as prayed for.

CRM-40111-2019

Allowed. With the consent of the learned counsel for the appellant as well as State, main appeal is taken on Board today for hearing.

Main case

Learned counsel for the State after examining the judgment dated 20.11.2019 in CrI. Appeal no. CRA-S-376-SB-2016 has admitted that the aforesaid judgment would also cover the case of the present appellant. The aforesaid judgment has been passed while dealing with the appeal of Robin Masih, who was a co-convict with the present appellant. The aforesaid appeal has been allowed on the ground that the investigating officer was not empowered to investigate the case being

officer below the rank of Assistant Sub Inspector. This Court has relied upon two Division Bench judgments of this Court.

Keeping in view the aforesaid facts, the present appeal is also allowed in terms of the aforesaid appeal. Appellant be released, if not required in any other case.

20.12. 2019
rekha
Whether speaking/reasoned
Whether Reportable

(ANIL KSHETARPAL)
JUDGE
Yes / No
Yes / No