

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CRM-M-16077 of 2019 (O&M)

Date of decision: 03.09.2019

Sikander Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Anurag Chopra, Advocate
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl. AG, Punjab.

Mr. D.D. Sharma, Advocate
for respondent No.3.

ANIL KSHETARPAL, J. (ORAL)

CRM-22744-2019

Prayer in the application is to implead the applicant i.e.
Yadwinder Singh as respondent No.3.

Application is allowed, as prayed for.

Main Case

The present petition has been filed for quashing of letter dated
12.11.2018 with the following prayer:-

*“It is, therefore, respectfully prayed that in the light of the facts
and circumstances detailed hereinabove, the instant petition may
kindly be allowed and this Hon'ble Court may be pleased for
quashing of the letter dated 12.11.2018 in Application No.1294
P.C.2B.CR dated 18.7.2018 (Annexure P/2) whereby the office of
Respondent No.2 has initiated fresh investigation in FIR No.69*

(Annexure P/1) dated 17.6.2018 registered under Sections 419/420/467/468/471 and 120-B IPC against the accused named in the FIR without considering the fact that detailed inquiry/investigation was conducted by the SP City Bathinda vide letter dated 16.6.2018 which was further approved by the District Attorney (Legal Bathinda) and the said FIR in question was registered and without considering the same, and without complying with the provisions laid down in Section 173(8) Criminal Procedure Code, the Respondent No.2 has ordered the fresh investigation without seeking the requisite permission from the Magistrate concerned and any other order or direction for staying the proceedings qua the fresh investigation initiated by the Respondent No.2 vide letter dated 12.11.2018 whereby the accused named in the FIR have been illegally and arbitrarily asked to join investigation in Application No.1294 P.C.2B.CR dated 18.7.2018 in the interest of justice, equity and fair play.”

Learned State counsel, on instructions from HC Jaswinder Singh, has submitted that Rajwinder Singh had joined the investigation. Jaspreet Singh is confined to Central Jail in FIR No.167 under Section 307 of IPC, at Police Station Dakha whereas non-bailable warrants have been issued against Gurwant Singh @ Gopi.

Keeping in view the facts of the present case, it is considered appropriate to direct the police to complete its inquiry/investigation within one month and proceed accordingly.

Accordingly, the present petition is disposed of.

03.09.2019

D.Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No