

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

**CRM-M-45636-2018
Date of decision: 06.05.2019**

Brij Mohan

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Achin Gupta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of directions to respondents No.2 & 3 to conduct fair and proper investigation in FIR No.188 dated 23.08.2018 under Sections 457, 380, 427, 506 IPC, registered at Police Station City Faridkot, District Faridkot or to hand over the investigation to some other independent agency.

Reply by way of affidavit of Deputy Superintendent of Police, Sub Division Faridkot, District Faridkot has been filed in the Court today, in which it is explained that the petitioner had voluntarily cancelled the agreement to mortgage and handed over the peaceful possession to respondent No.4 without any resistance and a writing was also executed between the parties at the back of the original agreement but the petitioner is not admitting the fact of leaving possession of the shop. Therefore, in order to verify the genuineness of the writing dated 14.08.2018, the police obtained specimen signatures of the

petitioner before the Sub Divisional Judicial Magistrate, Faridkot on 11.09.2018 and also the account opening form of the petitioner from the Punjab National Bank. The same along with the original agreement has been forwarded to the Forensic Science Laboratory, Mohali for comparison and further action will be taken as and when the report is received.

Learned State counsel submits that it will some time in receiving the FSL report and the inquiry will be conducted within a period of six months from today.

In view of the above, this petition is rendered as infructuous.

[ARVIND SINGH SANGWAN]
JUDGE

06.05.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No