

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12432-2014 (O&M)

Date of Decision:-07.02.2019.

Simardeep Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab assisted by
ASI Gurjinder Singh, P.S. Islamabad, Amritsar.

Mr. S.K. Garg Narwana, Senior Advocate with
Mr. Nitin Sachdeva, Advocate for respondent No.6.

ARUN MONGA, J. (Oral)

Present writ petition has been filed for issuance of a writ in the nature of *certiorari* for quashing the order dated 25.06.2014 (Annexure P-6) passed by respondent No.3/Commissioner of Police, which is based on an inquiry conducted by the Additional Deputy Commissioner of Police, Amritsar arising out of FIR No.31 dated 19.04.2014 and FIR No.57 dated 02.06.2014.

2.) The primary grouse of the petitioner is that the inquiry by the Additional Deputy Commissioner of Police has been conducted in a slipshod manner and, therefore, the same has been wrongly relied by the

Commissioner of Police while passing the impugned order. Accordingly, a

prayer has been made for issuance of a writ in the nature of *mandamus* directing that a fresh inquiry be conducted from some Officer not below the rank of IPS with a further prayer that the same be assigned to an Officer outside the District of Amritsar.

3.) During the pendency of the writ petition, an Additional affidavit of Mr. Parampal Singh, Additional Deputy Commissioner of Police, Amritsar has been filed, wherein it has been deposed that a fresh inquiry by Mr. Bikrampal Singh Bhatti, IPS, Deputy Commissioner of Police, Amritsar has been conducted and a report submitted by him has also been placed on the file of the Court as Annexure R-1.

4.) Without touching on the merits of the case, suffice to state that the prayer of the petitioner to the extent that the inquiry be conducted by an IPS Officer already stands satisfied as the inquiry has been conducted by an IPS Officer. No grounds are made out to interfere in the further investigation to be carried out pursuant to FIR No.31 dated 19.04.2014 and FIR No.57 dated 02.06.2014.

5.) The present writ petition is, accordingly dismissed.

6.) However, in the parting, I would like to state that a perusal of the inquiry report submitted by the Deputy Commissioner of Police, Amritsar dated 24.10.2014 (Annexure R-1) reveals that the same has been conducted after going threadbare into the rival contentions and the allegations of the various parties involved in the FIRs and after having recorded the statements of as many as 17 witnesses and detailed reasoning thereof has been given in the inquiry report. A perusal of the order sheet reflects that this Court, at no occasion, had restrained the respondents to proceed with the matter. Notwithstanding, no further steps have been taken

pursuant to the inquiry report. Accordingly, it is made clear that the respondents are free to proceed with the further investigation of the case as per the preliminary inquiry report dated 24.10.2014 (Annexure R-1) submitted before this Court.

(ARUN MONGA)
JUDGE

February 07, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.