

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24788-2019
Decided on: 12.03.2020

Jarmanjit Singh @ Germanjit Singh@Kalu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Paras Jagga, Advocate for
Mr. M.S. Bajwa, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab

ARVIND SINGH SANGWAN J. (Oral)

The prayer in the present petition, filed under section 482 of the code of criminal procedure for quashing of FIR No.192 dated 14.12.2014, registered under section 379, 411 & 420 of Indian Penal Code, 1860, registered at Police Station B-Division, District Amritsar.

On 9th July 2019, the following order was passed:-

“This is 2nd petition for quashing of FIR No.192 dated 14.12.2014 under Sections 379, 411, 420 IPC, registered at Police Station B-Division, District Amritsar and all the subsequent proceedings arising therefrom.

Learned counsel for the petitioner submits that in the first petition i.e. CRM-M-18007-2016, on 15.01.2019, learned State counsel, on instructions from SI Amarjit Singh, has stated that the investigation in the FIR will be completed within a period of four weeks and the report under Section 173 Cr.P.C. will be presented before the trial Court, however, till date, no report under Section 173 Cr.P.C. has been presented.

Notice of motion for 16.08.2019.

The Commissioner of Police, Amritsar is directed to file an affidavit as to why the order dated 15.01.2019 has not been complied with.”

An affidavit of Commissioner of Police, Amritsar City is on record. As per the affidavit, it is stated that the SI Amarjit Singh could not present the challan and he was transferred from District Taran Tarn during the Lok Sabha Election held in February 2019. It is further submitted that the report under Section 173 Cr.P.C. was prepared on 12th January 2019 and was presented before the Illaqa Magistrate on 14th August 2019. It is also stated on account of delay in submitting the report, departmental inquiry is ordered against SI Amarjit Singh.

In view of the learned State counsel on instructions from ASI Gurvinder Singh further submitted that out of 15 prosecution witnesses, 03 has already been examined.

In view of the same, the present petition is rendered infructuous, liberty is granted to file afresh after attaching the report under Section 173 Cr.P.C. The present petition is accordingly disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

12.03.2020
vishal/priyanka

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No