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

* * *

CRM-M-32994-2020

Date of Decision: 16th October, 2020

Amritpal Singh and another

Petitioners

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sarju Puri, Advocate for the petitioners.

Mr. H.S. Multani, Assistant Advocate General, Punjab.

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AVNEESH JHINGAN, J. (Oral)

The matter is taken up for hearing through video conference due to COVID-19 situation.

The present petition is filed seeking directions to the Senior Superintendent of Police, District Hoshiarpur for ensuring impartial and fair investigation in FIR No.124, dated 2nd July, 2020, under Sections 341, 307, 452, 354, 323, 148 and 149 of IPC registered at Police Station Garhshankar, District Hoshiarpur.

The FIR was at the instance of Amritpal Singh. It was alleged that an incident occurred on 2nd July, 2020 in which the accused inflicted injuries. The grievance raised is that investigation has made no substantial headway and the accused are not arrested, in spite of dismissal of anticipatory bail of some of them. It is further submitted that representations dated 5.8.2020 and 6.8.2020 were made to respondent No. 2. He further relies upon annexure P-11 i.e.

transcript of conversation between the Investigating Officer (I.O.) at relevant time and Sukhwinder Kaur (Petitioner No.2).

Learned State counsel submits that FIR is of July, 2020. Even the complainants are not cooperating, the transcript annexed at annexure P-11 is of an unauthorized recording of the phone call. However, it is submitted that there were glitches with regard to investigation but to ensure fair investigation, the matter was transferred from ASI to D.S.P. (Detective), Hoshiarpur now the D.S.P. is looking into the FIR and representations made by the petitioner.

The incident is of July, 2020, not much time has passed and the matter is being investigated. The recording of the phone calls is relied upon but name of the I.O. allegedly involved in conversation is not disclosed, this is an indicator that investigation is not going smooth and the entire blame cannot be put upon the police officials, petitioners do have a role. Considering that the matter has already been transferred to DSP and is being looked into, no case is made out for direction from this Court.

However, there is no doubt that fair investigation in accordance with law would be conducted and necessary steps in accordance with law at appropriate stage would be taken by the police officials.

The petition is disposed of.

(AVNEESH JHINGAN)
JUDGE

16th October, 2020

pankaj baweja

Whether speaking/reasoned: Yes

Whether reportable: No