

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

CRM-M-39770-2020 (O&M)

Date of decision : 01.12.2020

Jaswant Singh and another

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Suneet Pal Singh Aulakh, Advocate for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for issuance of directions to respondent Nos.1 and 2 to mark the investigation of case FIR No.278 dated 05.10.2020 under Sections 341, 323, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib to some independent agency or special investigation team headed by some senior officer.

Learned counsel for the petitioners would contend that the petitioners had suffered injuries. Petitioner No.1 was hit on the head and other parts on his body by five persons and three of the accused were known and two were the unknown persons. On a complaint of petitioner No.2, an FIR No.278 dated 05.10.2020 under Sections 341, 323, 506 and 34 of the Indian Penal Code, 1860 was registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib. Learned counsel for the petitioners would further

investigated through an independent agency and for taking action against the erring official i.e. respondent No.3 for having misused his post and law by manipulating the original facts of the incident.

Notice of motion.

On the asking of the Court, Ms. Jaspreet Kaur, AAG, Punjab, who has joined the session through video conferencing, accepts notice on behalf of the State and she, on instructions from ASI Gurpej Singh, has stated that the petitioners have given a representation dated 24.10.2020 (Annexure P-4) on the basis of which an inquiry has already been marked to the Deputy Superintendent of Police, Amloh.

In the present case, learned counsel for the petitioners has asked for an investigation by an independent agency primarily on the ground that the relevant Sections have not been added in the FIR. A bare perusal of the present petition reveals that no MLR has been produced by the petitioners and what has been produced is an OPD slip and a discharge summary. Be that as it may, the grievance of the petitioners as raised in the representation dated 24.10.2020 (Annexure P-4) is already being inquired into as an inquiry on their representation has been marked to the DSP, Amloh.

In view of the above, no further orders are required to be passed in the present case, at this stage. Accordingly, the present petition is disposed off.

01.12.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO