

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

**CRM-M-3380-2021(O&M)**

**Date of decision:25.01.2021**

**Yashpal**

**.....Petitioner**

Versus

**State of Punjab and others**

**.....Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr.Gagandeep Singh Sirphikhi, Advocate for the petitioner

Ms. Samina Dhir, DAG, Punjab

**ANIL KSHETARPAL, J.**

Through this petition under Section 482 Cr.P.C, the petitioner prays for a direction to the respondents no.1 to 5 to conduct a proper and fair investigation in FIR No. 34 dated 04.03.2019 registered under Section 420, 406 IPC, at Police Station City, Batala, Police District Batala.

Learned counsel for the petitioner contends that even after dismissal of a pre-arrest bail application by the Court of Sessions as well by the High Court, the respondents have conducted a police inquiry without associating the petitioner and obtained a report in favour of the accused. He submits that such an inquiry is not permissible.

After having heard learned counsel for the petitioner, this Court is of the view that the petitioner has an equally efficacious remedy of filing an appropriate application before the Judicial Magistrate of the area who is expected to call for the police file and pass appropriate

orders.

In view thereof, the petition is disposed of by relegating the petitioner to the alternative remedy.

25.01.2021

rekha

Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)  
JUDGE