

**106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-9559-2021
Decided on : 01.03.2021

Charanjit Singh

..... Petitioner

Versus

State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Monika Thakur, Advocate
for the petitioner.

Manjari Nehru Kaul, J.

This is the petition under Section 482 Cr.PC for seeking directions to respondents No.1 to 4 to take appropriate action in FIR No.188 dated 05.11.2018 for the offences under Sections 279 and 304-A IPC registered at Police Station Khanna City-2.

It is an admitted case of the petitioner that the case was registered against unknown persons for causing the death of his brother, who while trying to cross the road, was struck by a speeding car. Learned counsel further submits that after two years of the alleged occurrence, eyewitness Parmanand Gupta in his statement recorded under Section 161 Cr.PC specifically named Piyush Gupta-respondent No.5 as the accused, who was driving the car negligently which hit the brother of the petitioner leading to his death. Learned counsel submits that despite the name of the accused having been brought to the notice of the investigating agency, the investigating agency had failed to conduct investigation in a fair manner and had not taken any action against the said accused.

Notice of motion.

On the asking of Court, Mr. Luvinder Sofat, AAG, Punjab accepts notice and has apprised the Court that untrace report was filed almost two years back on 14.03.2019.

In the circumstances, no ground is made out for this Court to exercise its inherent jurisdiction under Section 482 Cr.PC. Accordingly, the present petition stands dismissed. However, petitioner is at liberty to avail of any alternate remedy as may be available to him under the provisions of law.

(MANJARI NEHRU KAUL)
JUDGE

01.03.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No