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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.25641 of 2021 IN/AND
CRM-M No.11003 of 2020 (O&M)
Date of decision: 24.08.2021

Sukhjeet Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Anutej Barnala, Advocate
for Mr. Rajeev K. Kapila, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

CRM No.25641 of 2021

Prayer in this application is for preponing the date fixed in the main petition.

Heard.

For the reasons stated in the application, the same is allowed and the main case is taken up today for hearing.

CRM-M-11003-2020 (O&M)

Prayer in this petition is for issuance of a direction to the official respondents No.1 and 2 to hand over the investigation of the case i.e. FIR No.222 dated 14.10.2018 registered under Sections 302 IPC (Section 201 IPC added later) at Police Station Tripri, District Patiala, to respondent No.6 or to constitute an SIT.

Counsel for the petitioner has argued that the younger brother of the petitioner namely Sukhwinder Singh was a driver with Goyal M.G. Gas Focal Point, New Nangal, and he was found missing and later on, the decomposed body of Sukhwinder Singh was found and as per the post-mortem, the death was caused due to constriction of neck. Even, the Chemical Examiner report suggest the same cause of action. It is also submitted that initially the FIR No.222 was registered

CASE HEARD THROUGH VIDEO CONFERENCING

against some unknown persons and later on, the police during the investigation, arrested one another driver namely Shanichar Singh son of Puna Logan resident of Bihar, as he was nominated on the basis of the extra judicial statement of one Ved Parkash, Manager of M.G. Gas Company, who has over-heard Shanichar Singh and one Harjap Singh regarding murder of Sukhwinder Singh.

Counsel for the State has argued that Shanichar Singh stands arrested; investigation qua him is complete; challan stands presented and even charges have been framed. It is also submitted that the primary grievance of the petitioner in this petition is regarding non-arrest of respondent No.5 i.e. the other accused Harjap Singh son of Gurdyal Singh. Counsel for the State has further submitted that since the respondent No.5 has travelled abroad, therefore, P.O. proceedings are initiated against him and as and when he is arrested, challan qua him, will be presented.

In view of the above, no further action is called for.

Disposed of accordingly.

It will be open for the petitioner to approach the trial Court by moving an appropriate application under Section 173(8) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

24.08.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No