

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-17653-2021 (O&M)
Date of Decision:-27.4.2021

Sushil Kumar ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vaibhav Sehgal, Advocate for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking issuance of directions to respondents No.2 and 3 to take appropriate legal action on his representation dated 26.2.2021 (Annexure P-8) and representation dated 30.3.2021 (Annexure P-9).
2. Learned counsel for the petitioner submits that it is a case where one Bikramjit Singh had committed suicide and FIR was lodged at the instance of his wife Anita Rani, wherein it was alleged that certain persons had been harassing her husband and had been demanding money including Sukhbir Singh, Employee of Capital First Bank. Learned counsel further submits that

some other persons, who were inimical to the petitioner and were having a civil dispute, connived with police officials and forged the '*ruqa*' on the basis of which FIR was lodged and substituted the name of the petitioner Sushil Kumar in place of Sukhbir Singh.

3. The learned counsel for the petitioner submits that the petitioner had approached this Court highlighting the aforesaid forgery of the '*ruqa*' in a petition in which directions were issued by this Court vide order dated 13.10.2020 (Annexure P-2) pursuant to which a detailed inquiry was conducted by respondent No.3-Director Bureau of Investigation, Punjab and it was found that SI Sulakhan Singh was involved in tampering of the '*ruqa*'.
4. The learned counsel for the petitioner has submitted that despite a categorical finding having been returned by respondent No.3, the FIR in respect of the alleged tampering of '*ruqa*' had been lodged only against private persons and all the police officials have been given a clean chit, whereas infact the '*ruqa*' in question could not have been tampered with without the connivance of the police.
5. Learned counsel for the petitioner submits that the FIR in respect of tampering had been lodged in the police station where the alleged tampering had taken place and is being inquired into by an official of the rank of ASI i.e. respondent No.6-ASI Manjit Singh and, as such, the petitioner apprehends that the matter would not be fairly investigated by an officer of the same police station more particularly when allegations are against the officer, who is senior to him.
6. Keeping in view the contentions raised before this Court and without commenting anything as regards the veracity of the same, it goes without

saying that in case the aforesaid contentions are correct, the matter ought to be investigated by some senior police officers and if feasible by a Special Investigating Team (SIT).

7. Since, learned counsel for the petitioner, at this stage, has restricted his prayer for disposal of his representation dated 26.2.2021 (Annexure P-8) and representation dated 30.3.2021 (Annexure P-9), the petition is disposed off with a direction to respondent No.3-Director Bureau of Investigation, Punjab to look into the matter and to dispose off the representation dated 26.2.2021 (Annexure P-8) and representation dated 30.3.2021 (Annexure P-9) expeditiously and to take all such necessary steps as may be warranted in accordance with law.
8. A copy of this order alongwith copy of representation dated 26.2.2021 (Annexure P-8) and representation dated 30.3.2021 (Annexure P-9) be sent to respondent No.3-Director Bureau of Investigation, Punjab so as to enable him to do the needful at the earliest.

27.4.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No