

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

CRM-M-21264-2021

Date of decision:-2.7.2021

Paramjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.G.P.S. Ghuman, Advocate
for the petitioner.

H.S. MADAAN, J.(ORAL)

Case taken up through video conferencing.

This petition under Section 482 Cr.P.C. has been filed by petitioner Paramjit Singh, aged about 28 years, resident of village Badshahpur, Tehsil Patran, District Patiala, now resident of 32 Middleport Crescent Scarborough, ON M 184L1, Canada, an accused in FIR No.0359 dated 4.11.2019, under Sections 420, 376 IPC, registered with Police Station Sohana, arraying State of Punjab through its Secretary, Department of Home, Punjab, The Director General of Police, Punjab and Additional Director General of Police, NRI and Women Wing as respondents craving for issuance of directions to respondents No.2 and 3 for conducting fair and impartial investigation on the basis of legal representation through counsel being Annexure P1, further praying for issuance of directions to such respondents to decide the representation within a stipulated period.

On the face of it, the petition is totally misconceived and unwarranted. The petitioner, who is accused of serious offences of cheating and rape has not since joined the investigation as admitted by counsel for the petitioner himself. Thus the petitioner himself having not joined the investigation wants this Court to issue direction to the official respondents with regard to carrying out of investigation. There is nothing on record to show that the investigation in the case is not being conducted in a fair or impartial manner. The petitioner is using novel method of himself remaining abroad while FIR has been registered against him in India and sending a representation to the police authorities through his counsel making various allegations calling for conducting investigation in light thereof. The proper course for the petitioner-accused was to join the investigation and then apprise the Investigating Officer of his version and if he felt that the investigation was biased and tainted, then he could have sought remedy available to him under law for redressal of his grievances but not by himself remaining abroad not joining investigation and submitting such type of representation through his counsel. The petitioner can certainly not file such a petition finding faults with the investigation in this manner.

The petition is bound to fail and is dismissed accordingly.

2.7.2021
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No