

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.108

CRM-M No.24855 of 2021
DATE OF DECISION: 06.07.2021

Bagicha Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

(Heard through Video-Conferencing)

CORAM:- HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Karandeep Singh Sidhu, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J. (ORAL)

The petitioner herein seeks the indulgence of this Court for the issuance of a direction to respondents No.2 and 3 to conduct a fair and impartial investigation in the criminal case registered at his instance at Police Station Mamdot, District Ferozepur vide FIR No.32 on 21.04.2021 under Sections 323, 324 and 34 IPC, wherein the offence under Section 326 IPC is stated to have been added later-on and also to protect his life and liberty as respondent No.4, in connivance with respondents No.5 to 10, is pressurizing him to enter into a compromise and he has also sought the issuance of a direction to respondent No.4 to submit the status report qua the above-said FIR and to arrest respondents No.5 to 8 in connection thereof.

Ms. Samina Dhir, learned Deputy Advocate General, Punjab has joined the proceedings on behalf of respondents No.1 to 4 in this case, in

pursuance of the copies of this petition having been sent to the respondent-State in advance.

I have heard learned counsel for the petitioner and learned State counsel in the instant petition at this stage and have perused the file thoroughly.

Learned counsel for the petitioner contends that prior to the subject FIR, one more FIR bearing No.29 was registered at the same Police Station on 15.04.2021 against respondents No. 5, 6 and 8 to 10 at the instance of the daughter-in-law of the petitioner and though FIR No.26 dated 14.04.2021 was also got registered by the son of respondent No.7 against the grandsons of the petitioner but as per the instructions received from his client, both of them have been found to be innocent in the said case. He further contends that respondent No.4 is hand in gloves with respondents No.5 to 10 and therefore, the investigation in the subject FIR is not being conducted in a fair and impartial manner.

Per contra, learned State Counsel, on the instructions from ASI Jatinder Singh, Police Station Mamdot, apprises the Court that an inquiry is being conducted by the DSP, Sub Division, Ferozepur in all the afore-said three criminal cases and she argues that in view of this fact, it becomes quite explicit that the above-discussed contentions of learned counsel for the petitioner are devoid of any force and hence, this petition deserves dismissal.

The very factum of the pendency of the inquiry into the allegations levelled in all above-said three criminal cases, before the

concerned Deputy Superintendent of Police, in itself, does suffice to negate the plea of the petitioner to the effect that respondent No.4 is conniving with/supporting respondents No. 5 to 10 and the investigation in the subject FIR is not being conducted in a fair and impartial manner. It being so, this Court is of the considered opinion that the issuance of any direction to respondent No.4 to arrest respondents No.5 to 8 is not warranted, as the same would amount to an interference in the powers of the investigating agency as conferred under the relevant provisions of law.

As a sequel to the foregoing discussion, it follows that this petition, being sans any merit, deserves dismissal. Resultantly, the same stands dismissed accordingly.

July 06, 2021

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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No