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

CRM-M-32345-2021

Date of Decision: August 12, 2021

Chetan Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Atul Lakhanpal,Sr.Advocate with
Mr.Arjun Lakhanpal, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 482 Cr.P.C. praying for issuance of directions to the respondent to hold a fair and impartial enquiry from a senior officer of IPS Cadre or any independent agency in case FIR No.22, dated 05.02.2020, under Section 306 IPC, registered at Police Station 'A' Division, Amritsar.

It has been contended that investigation conducted in above-mentioned FIR is totally frivolous. Learned Senior counsel contends that despite there being overwhelming evidence, for extraneous reasons, the same has not been taken into consideration and the challan has been filed only to give benefit to the accused.

Issue notice of motion.

On the asking of the Court, Mr.M.S.Nagra, Assistant Advocate

General, Punjab, accepts notice and contends that the challan already stands submitted, charges framed and the case is fixed for prosecution evidence.

After hearing both the parties, the petition is disposed of with a direction to the State to look into the contentions raised in the petition especially when the police has the power under Section 173(8) Cr.P.C. for filing a supplementary challan, if fresh evidence is found, even after the commencement of the trial. A specific decision be taken on the same in accordance with law within a period of one month from the date of passing of this order.

Commissioner of Police, Amritsar, is also directed to personally look into the contentions and take the decision in accordance with law.

August 12, 2021
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(**RAJESH BHARDWAJ**)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |