

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

CRM-M-33317-2021 (O&M)
Date of Decision:-17.8.2021

Shiv Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vishal Sharma (Vasudeva), Advocate for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court to conduct a fair inquiry in matter pertaining to FIR No.21 dated 24.2.2020 registered at Police Station Nangal under Sections 21(1) and 4(1) of Mines and Minerals Act, 1957.
2. Mr. Prabhjot Singh Walia, AAG, Punjab, upon whom an advance copy of petition had already been served, has submitted that in the instant case investigation already stands concluded and an untraced report has been prepared and is likely to be submitted before the Trial Court shortly.
3. In view of the aforestated position, wherein the learned State counsel has informed that investigation already stands concluded, no further direction is required to be issued.

4. The petition, as such, is disposed off with liberty to the petitioner to raise all such pleas as have been raised herein before the Trial Court when such untraced report is submitted.
5. Needless to mention, it shall always be open to the trial Court to consider passing an order for further investigation in case it is not satisfied with the investigation conducted in the matter. The prosecution is also directed to issue a notice to the complainant at the time of filing the untraced report.
6. It is further clarified that since the petitioner himself is not the complainant in the instant case, it shall be open to the petitioner to apprise the complainant of the facts, which according to him have not been noticed by the police.

17.8.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No