

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

219

CRM-M-42309 of 2020  
Date of Decision:01.09.2021

Kuljinder Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Mohit Garg, Advocate, for the petitioner.  
Mr. Rana Harjasdeep Singh, DAG, Punjab  
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**AMOL RATTAN SINGH, J. (ORAL)**

Case heard via video conferencing.

By this petition, the petitioner seeks a fair investigation in the matter, he having been arraigned as an accused in FIR no.180, dated 30.03.2020, registered at Police Station Pehowa, District Kurukshetra, alleging therein the commission of an offence punishable under Section 346 of the IPC (with Sections 302, 201 and 120-B of the IPC added later).

A detailed reply to the petition has been filed by the Superintendent of Police, Kurukshetra, dated 29.04.2021, in which it is stated that it was found that the petitioners' employer, Mukhtiar Singh, was having an illicit relationship with the wife of the deceased, and on account of such relationship, the petitioner, the wife of the deceased and Mukhtiar Singh hatched a conspiracy to eliminate him, with the petitioner having called the deceased to the spot from his own mobile phone number.

Learned counsel for the petitioner submits that actually the petitioner is being implicated only to save Mukhtiar Singh, who has still not been arrested,

though the other co-accused, i.e. Pinki wife of Shiv Charan, has been arrested.

Learned State counsel draws attention to paragraph 10 of the said affidavit, wherein it is stated that efforts have even been made by the District Police to determine as to whether Mukhtiar Singh travelled abroad, and as per the information sought from the Ministry of Home Affairs, Mukhtiar Singh did not go abroad, with that having been confirmed from his passport number.

A look-out circular is also stated to have been issued against Mukhtiar Singh on 24.12.2020 by the Bureau of Immigration, Government of India, to prevent him from escaping the country to evade arrest.

The call details record in respect of the conversation made from the petitioners' mobile with that of the deceased Shiv Charan, has also been annexed with the affidavit of the SP.

That being so, in my opinion, a fairly detailed investigation has been conducted by the investigating agency and therefore I would see no reason to transfer the investigation to any other agency.

Consequently, this petition is dismissed.

However, all observations made are only in the context of this petition and naturally, as regards the trial, the trial court would determine the guilt/innocence of the petitioner and his co-accused wholly on the basis of evidence led before it.

**September 01, 2021**  
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**(AMOL RATTAN SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes  
No