

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

Sr. No.121

CRM-M-49992-2021

Date of Decision: 30.11.2021

GIAN CHAND

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Satnam Singh Thakur, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.
(keeping in view the advance copy given)

(through video conferencing)

Harsimran Singh Sethi, J.(Oral)

The present petition has been filed seeking direction to respondents No.1 to 3 for conducting impartial investigation in FIR No.134 dated 18.10.2021 under Sections 323, 457 and 380 read with Section 34 of IPC registered at Police Station Goraya, District Jalandhar (Annexure P-1).

Learned counsel submits that keeping in view the facts and circumstances of the present case and the injuries suffered by the victim, Section 307 should have been added by the Police while investigating the allegations but not only this, even the investigation is not being conducted in a free and fair manner as nothing has been brought to the notice of the petitioner about any action taken by the Police so far.

Learned counsel for the petitioner submits that the grievance which has been raised in the present petition, has already been raised in representation

dated 20.10.2021 (Annexure P-4) addressed to the Senior Superintendent of Police, Jalandhar, which is still pending consideration before the said authority and the petitioner will be satisfied, in case a time bound direction is issued to respondent No.2 to decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondents-State.

Learned State counsel raises no objection in deciding the representation dated 20.10.2021 (Annexure P-4) submitted by the petitioner by respondent No.2 in a time bound manner by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation dated 20.10.2021 (Annexure P-4), respondent No.2 is directed to decide representation dated 20.10.2021 (Annexure P-4) submitted by the petitioner by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

30.11.2021

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No