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

CRWP-861-2022 (O&M)
Date of decision:07.02.2022

JATUN AND ANR

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Manoj K. Sharma, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. In the instant petition, the petitioner prays for a direction being made, upon the respondents Nos.3, and, 4 to expeditiously conclude investigations into FIR No.151 of 10.09.2021, registered at Police Station Bullowal, Hoshiarpur, constituting therein offences under Sections 323/365 IPC.

2. Learned counsel for the petitioners submits, that the investigating officer concerned, has since the last 4-5 months not stepped up the speed of investigation(s), and, is intentionally delaying the same. Therefore, the learned counsel prays, that preemptory directions are to be meted, upon the above respondent to step up the pace of investigations, and, to also conclude them, and, to thereafter in case evidence is forthcoming with respect to the penal

inculpation of the accused concerned, to file a report under Section 173 Cr.P.C., before the learned Magistrate concerned.

3. The afore made prayer is just, and, genuine, and, the co-respondent No.4, is directed to step up the pace of investigations, and, to collect all the incriminatory evidence vis-a-vis the incriminatory role of the accused concerned, in the FIR (supra), and, thereafter to, in accordance with law, if the collected evidence is suggestive of commission of offence(s), embodied in the FIR (supra), to proceed to file a report under Section 173 Cr.P.C., before the learned Magistrate concerned, and, also in case there is no incriminatory evidence of grave solemnity rather suggestive of incriminatory participation of the accused, in offences (supra), thereupon he is at liberty to institute a closure report before the learned Magistrate concerned. In case the latter event takes place, thereupon it is open to the petitioners herein to move a protest petition before learned Magistrate concerned, against the acceptance by him, of the closure report, if any, as is presented by the investigating officer before the learned Magistrate concerned.

4. At this stage, the learned counsel for the petitioners argues, that since there is a threat to the life of the petitioners, and, it emanates from the respondents-accused concerned. Therefore, he has asked for a direction being meted upon, the respondents concerned, to in view of representation carried in Annexures P-8, and, P-9 hence grant security to the petitioners. However, in respect of the above, there is no tangible material existing on record, nor there is any concrete evidence vis-a-vis theirs becoming potentialized. Therefore, this Court is not inclined to grant the afore relief to the petitioner.

5. However, the respondents Nos.2, 3, and, 4 may pass a speaking decision, in accordance with law, upon representations embodied in Annexures P-8, and, P-9. The above be done within two weeks.
6. With the afore observations, the petition is disposed of.
7. Pending miscellaneous application(s), if any, stand(s), disposed of.

07.02.2022

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(SURESHWAR THAKUR)
JUDGE

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