

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

115

CRM-M-4051-2022

Date of Decision: 11.02.2022

Jasveer Singh @ Jassu

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Nirmaljeet Singh Sidhu, Advocate, for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking issuance of directions to respondents No.2 & 3 to conduct a fair and impartial investigation in FIR No.383 dated 14.10.2020 registered at Police Station Sadar, Fatehabad, under Section 394 IPC.
2. Learned counsel for the petitioner submits that while in FIR No.383 dated 14.10.2020, the complainant has levelled allegations to the effect that on 13.10.2020 at about 8:00 PM, 4 unknown persons had stopped the complainant's motor-cycle and had attacked with an axe and robbed him of mobile phone and money, which he was carrying and also took away his motor-cycle, another FIR i.e. FIR No.201 dated 13.10.2020 registered at Police Station Nathana, District Bathinda, under Sections 399/402/379-B IPC and Section 25 of the Arm Act, was also lodged against the petitioner on 13.10.2020, wherein the petitioner is stated to have been

arrested in the evening of the same very day. Learned counsel has further submitted that Fatehabad, where the present FIR i.e. FIR No.383 dated 14.10.2020 was lodged, is at a distance of 125 Kms. from Village Puhla, District Bathinda and that both the occurrences are stated to have taken place around 8:00 PM on the said date and in fact the petitioner is stated to have been arrested in District Bathinda in the evening of 13.10.2020 and as such, it is not possible for the petitioner to have committed any offence at Fatehabad around the same time on 13.10.2020.

3. Having heard learned counsel for the petitioner and without commenting anything as regards the merits of the case, the instant petition is disposed of with a direction to respondent No.2 – Superintendent of Police, Fatehabad to ensure that the matter is got investigated fairly and expeditiously while taking into account the contentions made before this Court as regards the alibi of the petitioner. It is further ordered that in case the petitioner is required to be arrested in the matter pertaining to FIR No.383 dated 14.10.2020, he be afforded one week's prior notice before effecting his arrest.
4. A copy of this order be sent to respondent No.2 so as to enable him to do the needful expeditiously.

11.02.2022

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**