

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

CRM-M-15981-2020

Date of decision: 11.05.2022

Om Parkash and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Harlove Singh Rajput and
Mr. Eshar Garg, Advocate for
Mr. Suvir Sidhu, Advocate
for the petitioners.

Mr. Saurabh Khurana, DAG, Punjab.

Mr. Rajesh Narang, Advocate and
Mr. Jitesh Sharma, Advocate
for respondent No.5.

PANKAJ JAIN, J. (ORAL)

This is a petition preferred under Section 482 Cr.P.C. seeking directions to respondent No.4 not to harass the petitioners at the behest of respondent No.5 with respect to the FIR No.195 dated 08.12.2017, registered under Sections 304-B and 120-B IPC, Police Station Sadar Fazilka, District Fazilka (Annexure P-2).

2. The primary grievance of the petitioners is against the repeated investigations being carried on by the prosecution agency. It is not disputed that after FIR was registered, the first investigation culminated into preparation of cancellation report. Surprisingly, the said cancellation report was never presented before the Court and another investigation was initiated on the request of the complainant. The said

investigation report dated 10.05.2019 has been placed on record by the complainant as R-15, as per which it was recommended that the concerned authorities be ordered to prepare and present challan in the Court against all the three nominated accused. Still further another investigation was ordered.

3. Now after many rounds of investigations, the special investigation team has been constituted under the orders of respondent No.2. The said investigation is stated to be under process. Petitioners in the circumstances prays that directions be issued to the respondents not to harass the petitioners.

4. In the considered opinion of the Court, the prayer made is too vague to be granted. However, keeping in view the facts and circumstances of the case and the fact that there is no denial that there have been repeated investigations in the present case, respondent authorities are directed to give 7 days prior notice to the petitioners before taking any coercive steps in case anything worth proceeding against them is found during the investigation.

5. Petition stands disposed off.

(PANKAJ JAIN)
JUDGE

11.05.2022
Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No