

In the High Court of Punjab and Haryana at Chandigarh

(108)

**CRM-M No. 19667 of 2022
Date of Decision: 09.5.2022**

Sukhdev Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. RVS Chugh, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner is aggrieved by the lack of fair, and, impartial investigations, being conducted into DDR No. 025 of 24.6.2021, and, which has been instituted within FIR No. 0069 of 21.6.2021, both of which are registered at Police Station Jhunir, District Mansa.

2. The above made prayer subsists only if the investigations into the FIR (supra), and, the DDR concerned, were underway. However, if the investigations/enquiries into both, have concluded, and, have resulted in the institution of an affirmative report, under Section 173 Cr.P.C., before the learned trial Magistrate concerned, thereupon, the afore asked for relief would not survive.

3. Since the learned State counsel, on instructions given to him, by Head Constable Gurpreet Singh, submits, that after making enquiries, and, investigations, into both FIR, and, DDR concerned, the investigating officer concerned, has instituted an affirmative report, in respect of both, before the

learned trial Magistrate concerned. Consequently, the afore made relief, at

this stage, is declined.

4. However, liberty is reserved to the petitioner to ask for further investigations, being made by the officer, not below the rank of a DSP, through an appropriate application, being made before the learned trial Magistrate concerned, and, upon his preferring the relevant application, before the learned Magistrate concerned, the latter shall make lawful orders thereons.

5. The petition is disposed of.

(SURESHWAR THAKUR)
JUDGE

May 09, 2022
Gurpreet

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