

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(228)

CRM-M-18769-2019

Date of decision: - 10.03.2022

Kuldip Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- None for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for directing respondents No.1 and 2 to entrust the investigation in case FIR No.81 dated 21.05.2017, under Sections 304-A, 279, 337, 338 and 427 IPC, registered at Police Station Jhabal, District Tarn Taran to some senior police officer of the District Tarn Taran.

Learned State counsel has submitted that as per paragraph No.5 to 7 of the affidavit of Kamaljit Singh, PPS, Deputy Superintendent of Police, Sub Division Tarn Taran, District Tarn Taran, filed on behalf of respondents No.1 to 3-State, it has been stated that the enquiry of the above application, which was submitted by Lakhbir Kaur, wife of the deceased, was marked by the Senior Superintendent of Police, Tarn

Taran/IGP Border Range to Mr. Varun Sharma, IPS, Superintendent of Police (Headquarter), Batala, District Gurdaspur, who conducted the fair and impartial inquiry into the matter and vide the said inquiry report, respondent No.4 Rajbir Singh was found to be innocent in the case as in the enquiry it was found that the motorcycle of the deceased Lakhwinder Singh had met with an accident with some unknown truck and respondent No.4 had in fact, stopped his car on seeing the gathering of people at the place of accident and he, with the assistance of one Kundan Singh, had rushed the injured to the hospital in his car and it was under suspicion that the petitioner Kuldip Singh had nominated the name of respondent No.4- Rajbir Singh in this case and the concerned enquiry officer directed the SHO, PS, Jhabal, District Tarn Taran to declare respondent No.4/accused Rajbir Singh as innocent and to trace out the real accused driving the offending truck. It is further submitted that in spite of best efforts, the truck driver could not be traced out and in case anything happens in the future, then the present case would be re-investigated. It is submitted that in view of the same, untraced report has been prepared and has been presented to the senior police officials for its approval and after its approval, it shall be presented in the concerned Court of Illaqa Magistrate, Tarn Taran.

Learned State counsel has submitted that after filing of the above-said reply, the untraced report has been submitted before the trial Court on 04.12.2019 and thus, it is prayed that the present petition deserves to be dismissed.

None has appeared on behalf of the petitioner to rebut the

above-said facts.

Keeping in view the above-said facts and circumstances which have been noticed in paragraph No.5, 6 and 7 of the reply and have been detailed hereinabove, the present petition is dismissed.

March 10, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No