

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

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**CRM-M-30856-2021
Decided on : 28.07.2022**

Rajinder Sharma and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

PRESENT: Ms. Aarti Sharma, Advocate for
Mr. Shalender Mohan, Advocate
for the petitioner(s).

Mr. M.S. Nagra, AAG, Punjab.

SURESHWAR THAKUR, J. (Oral)

1. Through the instant petition, cast under Section 482 Cr.P.C., the petitioners claims for the making of a mandamus, upon respondent No.4, for investigation into the petition FIR, being conducted by an SIT headed by an officer not below the rank of SP. The reason for the claimed for mandamus, being made upon the respondents concerned, arises from the factum, that the present probing agency is not fairly, and, unbiasedly holding investigations into the petition FIR.

2. However, since it is stated by the learned State counsel, on instructions to him by ASI Karamjeet Singh, that the investigation in the petitioners FIR, is completely closed, and, has also resulted in the institution of a report under Section 173 Cr.P.C., before the judicially empowered Court, and, further that the relevant charges have been drawn against the accused concerned.

3. In consequence, when the craved for mandamus was maintainable, only when the investigations in the instant FIR, were underway or were in progress, but is not maintainable when the investigation is closed or has ended. Therefore, the instant petition becomes rendered infructuous, and, is dismissed as such.

**(SURESHWAR THAKUR)
JUDGE**

July 28, 2022

J.Ram

*Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No*