

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

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**CRM-M-36369 of 2021
Date of decision: 15.11.2022**

HARMILAN SINGH

..PETITIONER

Vs.

STATE OF PUNJAB AND ORS.

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. M.S. Joshi, Addl. AG, Punjab.

AMAN CHAUDHARY, J.(ORAL)

Present petition has been filed under Section 482 Cr.P.C. for issuance of appropriate directions to the respondents to hand over the investigation in case FIR No.90 dated 19.09.2018 (Annexure P-1), to a specialized investigating agency keeping in view the peculiar facts and circumstances of the present case narrated hereinafter.

Notice of motion this case was issued on 06.09.2021. Pursuant whereto reply dated 17.11.2021 by way of affidavit of Kanwardeep Kaur, IPS, Senior Superintendent of Police, SBS Nagar, District SBS Nagar on behalf of respondents No. 1 to 4 has been filed. Learned State counsel makes a reference to para Nos. 3 and 5 of the reply which reads thus:-

“3. That it is respectfully submitted that the report of the station house officer, police station Banga, was presented before the answering deponent, however, the answering deponent has disapproved the same and vide order

No.1792-95, reader/SSP, dated 03.11.2021, the answering deponent has constituted a Special Investigation Team (SIT) under the Superintendent of Police (PBI) SBS Nagar, being its Chief, Deputy Superintendent of Police (Detective), SBS Nagar, In-charge CIA Staff, SBS Nagar and Station House Officer, police station Sadar Banga, being its members, to thoroughly investigate the FIR No.90 dated 19.09.2018, under Section 302 IPC, lodged at police station Sadar Banga, District SBS Nagar.

5. That it is respectfully submitted that during investigation carried out by the SIT the complainant-Harmilan Singh got recorded his supplementary statement on dated 12.11.2021, wherein he has stated that he has inquired the matter and it has come to his knowledge that Kamalpreet Singh @ Mann son of Jasvir Singh, resident of H.No.2043, Shaheed Bhagat Singh Nagar, Moga, Kulwinder Singh @ Kallu, son of Harbans Singh, resident of village Rauli, District Moga, Kanwar Pal Singh son of Gurpreet Singh, resident of H.No.365-B, Lal Singh Basti Gobindgarh, District Moga, Lovepreet Singh @ Ravi son of Jagjeet Singh and Kamaljit Sharma @ Kamal son of Darshan Sharma both resident of Dala, PS Mehna, District Moga were behind the murder of his father and accordingly, the aforementioned persons have been nominated in the present case on 12.11.2021. It is further submitted that all these persons are lodged in different jails and an application dated 12.11.2021 has been moved to Ld. Illaqa Magistrate, SBS Nagar, seeking their production warrants. It is further submitted that the Ld. Illaqa Magistrate, SBS Nagar, has already issued production warrants for producing the aforementioned accused before the Ld. Illaqa Magistrate, SBS Nagar, for 30.11.2021”.

In view of the aforesaid, learned State counsel submits present petition has been rendered infructuous.

Faced with this, learned counsel for the petitioner prays for withdrawal of the petition.

Allowed as prayed for.

(AMAN CHAUDHARY)
JUDGE

November 15, 2022
Poonam Sharma

Whether speaking/reasoned : Yes
Whether reportable : No