

118

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

CRM-M-32806-2022

Date of Decision: 28.07.2022

Manpreet Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Judgepreet Singh Warring, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 482 of the Code of Criminal Procedure for seeking arrest of the main accused in FIR No.0261, dated 30.08.2018, under Sections 406, 420, 506 & 120-B of the IPC, registered at Police Station Sidhwan Bet, Ludhiana Rural, Punjab and to submit the Final Report/challan before the competent Court.

Learned counsel for the petitioner has submitted that the present FIR is of the year 2018 and the police is not properly investigating the case, and therefore, directions are required to be issued for arresting the main accused and to further proceed with the matter.

At this stage, Mr. Davinder Bir Singh, Deputy Advocate General, Punjab has submitted on instructions from ASI Kuldeep Singh that in the present case, two of the main accused, namely, Swarnjit Singh and Manjit Kaur, who are respondent Nos.5 & 6, have already been arrested and so far as respondent No.4 is concerned, she is absconding and all efforts

have been made to take action against her and now P.O. proceedings have been initiated against her. He further submitted that those accused have already been arrested and qua them challan has also been presented and charges have been framed against them and therefore, the grievance in the present petition does not survive.

I have heard the learned counsels for the parties.

The grievance of the petitioner in the present case was seeking arrest of the main accused in the FIR. The prayer of the petitioner for seeking arrest is not sustainable, since it is a settled law that whether a person is to be arrested or not, it is with the satisfaction of the police officials/I.O. in accordance with law. So far as the other grievance of the petitioner that the police is not properly investigating the case and is not taking action against any of the accused, the same is unfounded in view of the statement made by the learned State counsel that two accused have already been arrested and against them even charges have also been framed and so far as one of the accused, namely, Ramandeep Kaur (Respondent No.4) is concerned, the proclamation proceedings have been initiated against her.

In view of the aforesaid position, nothing survives in the present petition and the same is hereby dismissed.

28.07.2022

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

- | | |
|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |