

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

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**CRM-M No.38569 of 2022
Date of Decision: 30.08.2022**

Karam Singh Sandhu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Vinay Begra, Advocate
 for the petitioner.

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MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioner has made the second attempt to seek the quashing of the FIR bearing No.91 dated 19.07.2018 registered at Police Station Sadar Faridkot, District Faridkot, under Sections 459 & 307 IPC and has also prayed for directing the respondents to decide his representation Annexure P-6 and for issuing the Police Clearance Certificate to him, while averring that he has been falsely implicated in the case.

2. Mr. Iqbal Singh Mann, learned Deputy Advocate General, Punjab, has appeared on behalf of all the respondents in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance and on the instructions from ASI Balwinder Singh from the above-said Police Station, he apprises the Court that initially, the Final Police Report qua the case having remained untraced, had been submitted before the competent Court but vide order dated 09.03.2021, the Court had returned the same to the Investigating Agency for conducting further investigation and

presently, the investigation proceedings are continuing in pursuance of the said order.

3. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

4. It is pertinent to mention here that vide order dated 18.07.2022, the petition bearing **CRM-M No.30529 of 2022**, as preferred by the petitioner earlier for seeking the same relief, as sought in the instant petition, had been dismissed by this Court for having been withdrawn. Learned counsel for the petitioner has not been able to set-forth any fair, candid and plausible reason/ground qua the maintainability of the present (second) petition for claiming the same relief again.

5. Seen from yet another angle, as discussed earlier, the investigation in the case is reported to be still continuing in pursuance of the order passed by the concerned Court below on 09.03.2021. It has been held by the Apex Court in **State of Tamil Nadu Vs. S. Martin Etc. 2018 (5) RCR (Criminal) 156** that “*the assessment made by the High Court at a stage when the investigation was yet to be completed, is incorrect and uncalled for and the appellant was free to conduct the investigation and to take the matter to its logical conclusion.*” In view of the afore-cited observations, it becomes explicit that the instant petition is not maintainable at this stage. Resultantly, the same stands dismissed accordingly.

30.08.2022
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No