

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(123)

CRM-M-54099-2022

Date of decision: - 21.11.2022

Shiv Kala

....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Chandan Singh, Advocate,
for the petitioner.

Mr. Tarun Aggarwal, Sr. D.A.G., Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition under Section 482 Cr.P.C. for the issuance of directions to the official respondents to complete the enquiry/investigation with regard to murder of son of the petitioner, namely, Lallu, regarding which DDR No.15 dated 06.11.2018 (Annexure P-1) has been recorded in Police Station Mulepur, District Fatehgarh Sahib, in a time bound manner.

Learned counsel for the petitioner has submitted that son of the petitioner, namely, Lallu, aged 20 years, had died and thereafter, a DDR No.15 dated 06.11.2018 (P-1) was registered by the brother of the deceased. It is further submitted that the petitioner ultimately approached the Court of Chief Judicial Magistrate, Gonda, Uttar Pradesh by way of filing a complaint under Section 156(3) and vide order dated 14.02.2020,

the said Court had directed the concerned police station to register an FIR and accordingly, an FIR No.327 dated 31.08.2020 was registered under Section 302 IPC at the Police Station Karnailgang, District Gonda, Uttar Pradesh. It is further submitted that a letter dated 11.10.2020 was issued by the Inspector General of Police, Devipatam, Circle Gonda, Uttar Pradesh to transfer the investigation of the above-said FIR to Police Station Malerpur, District Fatehgarh Sahib and thereafter, vide order dated 28.10.2022, a complete file of the case was sent to the Senior Superintendent of Police, Fatehgarh Sahib, but in spite of more than two years from the date of transfer of the said FIR, no final report under Section 173 Cr.P.C. has been submitted by the police till date.

Learned counsel for the petitioner has also submitted that the petitioner has also given a representation dated 01.02.2022 to the Senior Superintendent of Police, Fatehgarh Sahib, with respect to the same and has submitted that the petitioner would be satisfied in case the present petition is treated as a representation and respondent No.2 is directed to look into the same and take appropriate action in accordance with law.

Notice of motion to the respondents.

On advance notice, Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-The Senior Superintendent of Police, Fatehgarh Sahib, looks into the matter and takes appropriate action, in accordance with law.

Keeping in view of the above-said facts and circumstances,

the present petition is disposed of with a direction to respondent No.2-
The Senior Superintendent of Police, Fatehgarh Sahib, to consider the
present petition as a representation and to look into the matter and take
appropriate action, in accordance with law, as expeditiously as possible.

It is made clear that this Court has not given any opinion on
the merits of the case and it would be open to respondent No.2 to consider
the matter independently and take action in accordance with law.

November 21, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No