

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

CRM-M-2387-2023

Date of decision : 18.01.2023

IQBAL SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amaninder Preet, Advocate
for the petitioner(s).

Mr. Kirat Singh Sidhu, D.A.G, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.c. is for setting aside the order dated 30.07.2022 (Annexure P-12) passed by the Judicial Magistrate, 1st Class, Moga and the order dated 01.12.2022 (Annexure P-14) passed by the Additional Sessions Judge, Moga in case FIR No.57 dated 23.06.2017 registered under Sections 406, 420, 120-B, 506 IPC at Police Station Ajitwal, District Moga.

The learned counsel for the petitioner contends that a report under Section 173 Cr.P.C. was submitted against the petitioner on 25.01.2019. The said report was supplied to the petitioner on 11.07.2019. He moved an application for further investigation under Section 158(3) Cr.P.C. read with Section 173(8) Cr.P.C. on 03.08.2021. However, instead of deciding the said application, the Trial Court has proceeded to dismiss the discharge application of the petitioner. The petitioner preferred a revision against the said order which was also dismissed. He contends that he would be satisfied if an appropriate order

is passed directing the Magistrate to adjudicate upon the application dated 03.08.2021 moved under Section 156(3)/173(8) of Cr.P.C.

Notice of motion.

On asking of the Court, Mr. Kirat Singh Sidhu, D.A.G, Punjab accepts notice on behalf of respondent No.1.

The Trial Court is directed to decide the said application expeditiously not later than 02 weeks from the next date fixed before this Court.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

18.01.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No