

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

CRM-M-2457-2023  
Decided on : 17.01.2023

Suresh Kumar

..... Petitioner

Versus

State of Punjab and other

..... Respondents

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present :     Mr. Gursimran Singh Madaan, Advocate  
                     for the petitioner.

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**Manjari Nehru Kaul, J.(Oral)**

Instant petition has been filed under Section 482 Cr.PC for issuance of directions to the official respondents for conducting fair and impartial inquiry in FIR No.120 dated 24.07.2022 under Sections 308, 323, 427, 148 and 149 IPC registered at Police Station Division No.2, Pathankot.

Learned counsel for the petitioner submits that even though FIR was registered way back on 24.07.2022, however, investigating agency has failed to initiate appropriate steps against the private respondents much less arrest them. Learned counsel submits that accused are roaming around freely.

Notice of motion.

On the asking of Court, Mr. Amit Rana, Sr. DAG, Punjab accepts notice.

Learned State counsel on instructions from ASI Gurprasad has apprised the Court that a thorough investigation has been carried out after the registration of FIR. Learned State counsel submits that one of the

persons, who was named in the FIR, i.e. respondent No.4 already stands arrested on 24.07.2022. Learned State counsel further submits that as far as other accused named in the FIR are concerned, they are at large and efforts are being made to arrest them.

I have heard learned counsel for the parties and perused the relevant material on record.

Since respondent No.4 already stands arrested on 24.07.2022, the prayer of the petitioner for issuance of directions to the official respondents for fair and impartial investigation, deserves to be declined.

Before parting with the order, it would not be out of context to reiterate that investigation falls within the exclusive domain of the police and every investigation need not always necessarily culminate in the arrest of the accused. In case, the petitioner is still aggrieved qua all the accused persons not having been arrested, there is nothing which stops him from availing of the alternative remedies available to him under the provisions of law.

Accordingly, the instant petition is dismissed.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

17.01.2023  
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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable :       | Yes/No |