

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

CRM-M-3640-2023

Date of decision : 24.01.2023

Ambika Khanna

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. T.P.S. Tung, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Petitioner has approached this Court praying for issuance of directions/order holding the action of respondents No.3 and 4 in conducting multiple enquiries and now on the basis of the second enquiry having been conducted by Inquiry Officer i.e. respondent No.6 in FIR No.272 dated 30.12.2021, under Sections 307, 427, 506, 148, 149 IPC and Sections 25, 27 of Arms Act, registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur after passing of the order dated 24.11.2022 (Annexure P-10) as illegal and against the settled law.

Inter alia, it has been contended by counsel for the petitioner that the petitioner before this Court is the complainant in FIR No.272 dated 30.12.2021. He submits that on the earlier occasion, the petitioner approached this Court by way of filing CRM-M-54080-2022 which was disposed of by this Court vide order dated 24.11.2022 wherein it was stated by learned State counsel, on instructions from ASI Balwinder Singh that report under Section 173 Cr.P.C. is pending approval and the

same would be filed within six weeks. He submits that despite that the investigation is not completed. He further submits that rather the false cases were filed against the petitioner as cross-cases and multiple enquiries are being conducted in the same so as to favour the accused.

Notice of motion.

On asking of the Court, Mr. Karunesh Kaushal, AAG, Punjab accepts notice on behalf of the respondents-State. He, on instructions, has submitted that the challan is already presented in FIR No.272 dated 30.12.2021. So far the cross-case registered against the petitioner is concerned, there was an application filed by the complainant in the cross-case to the Inspector General and thus, enquiry was marked to Superintendent of Police, Headquarter. He has submitted that the investigation is almost complete and they are in a position to conclude the investigation in the cross-case as well within two weeks.

After hearing counsel for the parties and perusing the record, the investigating agency is directed to conclude the investigation in a free and fair manner and submit the conclusion report within two weeks as undertaken before this Court. It is being clarified that if the investigation is not completed within two weeks, the petitioner would be at liberty to approach the Court again for redressal of his grievances.

Petition is disposed of in above-mentioned terms.

24.01.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No