

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

**CRM-M-7049-2021 (O&M)
Date of decision : 09.01.2023**

Kamaljit Singh MankuPetitioner

versus

State of Punjab and others Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. G.B.S. Gill, Advocate
for respondent No.4.

Mr. Iranpreet Singh, Advocate
for respondents No.5 and 6.

RAJESH BHARDWAJ, J. (Oral)

CRM-48911-2022

This is an application for impleadment of Jarnail Singh as
respondent No.6.

Learned counsel for the petitioner pleads no objection if the
application is allowed. In view of this, present application is allowed.

Amended memo of parties is taken on record.

Main case:-

Petitioner has approached this Court for issuance of
directions to respondents No.2 and 3 to take appropriate legal action
against respondents No.4 and 5 in FIR No.117 dated 18.10.2013, under
Sections 323, 324, 427, 506, 34 of IPC, registered at Police Station

Mehtiana, District Hoshiarpur as well as the representations (Annexures P-2 to P-4).

Notice was issued by this Court on 16.02.2021. The State was directed to file status report which has been filed by learned State counsel.

Learned counsel for the petitioner has submitted that the FIR in this case was lodged on 18.10.2013. However, the investigating agencies intentionally did not carry out the investigation and thus, recommended cancellation.

Learned State counsel has submitted that the FIR was lodged by the petitioner against unknown persons. However, the same was investigated and the untraced report was filed in the same. He submits that the allegations regarding respondents No.4 and 5 were thoroughly investigated by the DSP who found the case to be of money transaction between Sukhchain Singh, brother of the petitioner and his real nephew respondent No.4-Bahadar Singh and respondent No.5-Harvinder Pal Singh Manku. He has submitted that as per investigation respondent No.5-Harvinder Pal Singh Manku was in England and thus, the allegations made by the petitioner were not substantiated. He also submits that during investigation, it was found that the petitioner himself compromised the matter with respondents No.4 and 5 and hence, the SHO recommended the case to be filed. He further submits that after re-investigation, again cancellation is filed which is pending consideration before learned Illaqa Magistrate.

Learned counsel for the respondents have also opposed the contentions of learned counsel for the petitioner.

After hearing counsel for the parties and perusing the record, it is apparent that untraced report so filed is pending consideration before the concerned Illaqa Magistrate. Accordingly, the present petition is disposed of with a direction to the concerned Illaqa Magistrate to decide the untraced report expeditiously in accordance with law.

09.01.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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