

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-7563-2023****Date of Decision: February 16, 2023**

RAM CHANDER

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Sumit Jain, AAG, Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 482 CrPC, prayer has been made for quashing of FIR No.342 dated 24.06.2018 under Sections 279 and 337 IPC, Police Station Kaithal, Distt. Kaithal.

Primarily, the submission made on behalf of the petitioner has been that the outcome of FIR No.342 dated 24.06.2018 depends upon fair investigation arising out of FIR No.279 dated 02.07.2019 got registered under Sections 384 and 511 IPC at P.S. Kaithal City, Distt. Kaithal at the instance of petitioner wherein SIT was ordered to be constituted under the signatures of Inspector General of Police, Karnal Range, Karnal on 24.07.2019, however, so far, no action has been taken in pursuance thereof.

On the last date of hearing, it was informed by learned State counsel that the investigation pertaining to FIR No.279 dated 02.07.2019 already stands concluded by SIT and the Investigating Agency was in the process of filing a cancellation report in exercise of powers under Section

173 CrPC, however, today it has been pointed out that the aforesaid information was rendered on account of some bona fide communication gap on the part of police officials. He submits that SIT has not been formulated so far, though, an inquiry was conducted by an officer of the rank of DSP and a final report dated 25.07.2019 in this regard is pending consideration with the higher officials.

Learned State counsel on instructions from SI Ajmer Singh, Police Station City Kaithal submits that a Special Investigation Team shall be constituted immediately in pursuance to order dated 24.07.2019, preferably within a period of one week from today and a final report based on the investigation carried out thereupon shall be prepared and submitted to the authorities concerned within ten weeks thereafter, without being influenced by the inquiry/investigation carried out on the earlier occasion thereby culminating into the final report dated 25.07.2019.

In view of the above, the present petition is disposed of.

16.02.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>