

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

113

CRM-M-11327-2023

Date of Decision: March 03, 2023

Kushal Kumar

.....Petitioner(s)

Vs.

State of Punjab and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kanwarpal Singh Mahey, Advocate for
Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab

ANOOP CHITKARA J. (ORAL)

The present petition has been filed seeking issuance of directions to respondents No.2 to 4 to entrust the investigation of case in FIR No.46 dated 11.06.222 under Sections 323, 307, 341, 506 IPC and 25-27 of Arms Act, 1959 registered at Police Station Gardhdiwala, District Hoshiarpur, to an independent agency or a Special Investigation Team headed by a senior officer.

2, Counsel for the petitioner submits that he would be contended and satisfied in case representation dated 04.02.2023 (Annexure P-2) may be decided within time bound manner.

3. Notices are served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

4. Let the representation Annexure dated 04.02.2023 (Annexure P-2) be decided by the concerned Superintendent of Police within two months, either himself/herself or by authorizing and delegating it to any officer. It is clarified that such order must be a reasoned order, and the same be communicated to the representationists without delay.

5. Liberty reserved to the petitioner to file fresh petition or to take other legal remedies in accordance with the law.

6. It is clarified that there is no adjudication on merits. It is further clarified that this order shall not come in the way if the interrogation of the petitioner is required in any cognizable case.

7. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

March 03, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No