

CRM-M-11629-2023

Date of Decision: 09.03.2023

Karnail Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ramandeep, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

The petitioner has approached this Court for quashing of the FIR No.193, dated 25.10.2011, registered under Sections 427, 379, 457, 380, 452, 506, 341, 34 IPC, at Police Station Samana, District Patiala, and all other proceedings arising therefrom.

Learned counsel for the petitioners has submitted that on the same set of allegations, the complainant had filed a complaint in the year 2014, in which the petitioners were tried and were acquitted as well. He submits that investigation in the present FIR was completed and cancellation was also filed, which was not completed, however, till date the case is still pending investigation.

Notice of motion.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab, accepts notice on behalf of the State and on instructions from ASI Darshan Singh submits that the investigation was completed and the cancellation report was filed before the learned Illaqa Magistrate, however, the same was not accepted and was sent for further investigation vide order dated 09.09.2015 and the case is pending investigation till date. He submits that the complainant died on 31.10.2014.

Learned counsel for the petitioners has submitted that he may be

allowed to withdraw the present petition with liberty to pursue the remedy as available to the petitioners before the concerned Court in accordance with law.

Permitted to do so.

However, the Court cannot ignore the fact that the petitioners were acquitted in the complaint filed by the complainant and after having been sent for further investigation by the Illaqa Magistrate on 09.09.2015, the case is pending investigation till date. The delay in completing the investigation is unjust being without any plausible reason.

Dismissed as withdrawn with liberty as prayed for.

The Investigating Agency is directed to complete the investigation within four weeks from today. The petitioners are at liberty to approach this Court again in case situation arises for the same.

09.03.2023
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No

(RAJESH BHARDWAJ)
JUDGE