

2023:PHHC:122537

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

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CRM-M-14573-2023

Date of decision : 06.09.2023

Jaspal Singh Grewal and others**..... Petitioners**

versus

State of Punjab and others**..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. I.S. Brar, Advocate
for the petitioners.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 482 Cr.P.C. to direct respondent No.2-Senior Superintendent of Police, Sri Muktsar Sahib to get the FIR No.0018 dated 03.02.2023, registered for offences punishable under Sections 302 and 120-B of IPC, 1860 at Police Station City Sri Muktsar Sahib, investigated in fair and impartial manner.

2. Reply by way of affidavit of Avtar Singh, PPS, Deputy Supdt. of Police, Sub-Division Sri Muktsar Sahib, District Sri Muktsar Sahib has been filed on behalf of respondents No.1 and 2-State, wherein the stand taken by the State is:-

“xx xx xx

3. That the facts of the case are as under:-

(i). The FIR in question was registered against six accused i.e. present petitioners and Shammi son of Harbans Singh on the application of the private respondent No.2-complainant Dial Singh son of

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Bachittar Singh on the allegations that the accused by hatching a criminal conspiracy killed Mohinder Pal Singh @ Bhola son of the complainant Dial Singh.

- (ii). Initially, the proceedings u/s 174 Cr.P.C. had been initiated regarding the death of the deceased Mohinder Pal Singh, vide DDR No.17 dated 13.09.2019 on the statement of Rajinder Kaur wife of the deceased Mohinder Pal Singh.
- (iii). On the basis of order dated 20.12.2022 passed by the learned court of JMIC, Sri Muktsar Sahib on an application u/s 156(3) Cr.P.C. filed by the applicant Dial Singh (father of the deceased Mohinder Pal Singh), the FIR in question was registered against all the six accused including the petitioners.
- (iv). During the investigation conducted by the S.H.O. P.S. City Sri Muktsar Sahib, the FIR in question was found to be false and it was recommended to prepare cancellation report in the FIR in question. The D.S.P.(PBI), Sri Muktsar Sahib agreed with the investigation conducted by the S.H.O., P.S. City Sri Muktsar Sahib and accordingly, the cancellation report in the FIR in question was prepared on 08.04.2023.”

3. In view of above, present petition is dismissed as having been rendered infructuous.

(PANKAJ JAIN)
JUDGE

06.09.2023
Dinesh

Whether speaking/reasoned : Yes
Whether Reportable : No