

112

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16131-2023

Date of Decision: March 29, 2023

Rajan Chaoudhary

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Sandeep Jasuja, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 482 Cr.P.C. praying for ordering free, fair, speedy and independent investigation in the long pending FIR No.189, dated 10.06.2008, under Sections 457, 380, 420, 465, 467, 471 IPC, registered at Police Station City Abohar, from some senior police official or through police official from some other District or by some other investigating agency.

Learned counsel for the petitioner inter alia contends that FIR in question was lodged on 10.06.2008, however, surprisingly the same is pending investigation till date. He submits that petitioner is running from pillar to post since long, however, investigating agency is not concluding the investigation. It is further contended that petitioner is apprehending that Investigating Officer is intentionally favouring the accused and thus, there is no scope of fair and impartial investigation.

Notice of motion to official respondents only.

On asking of the Court, Mr.Sandeep Kumar, DAG, Punjab, who

is present in Court, accepts notice on behalf of the respondents/State and submits, on instructions from ASI Satpal that after investigation cancellation was filed on 19.08.2019, however, learned SDJM, Abohar rejected the same and sent it for further investigation. He submits that thereafter the investigation is in progress and the same is pending.

After hearing the counsel for the parties and perusing the record, it is apparent that there is no plausible explanation regarding pendency of the investigation till date. This Court finds that the delay in investigation is prima facie without any authenticated reason. Hence, present petition is disposed of with a direction to State/Investigating Agency to conclude the investigation within a period of one month from today in accordance with law. However, respondent No.2, i.e. Superintendent of Police, Fazilka, is directed to personally look into the record of the case and would monitor that investigation is completed impartially in accordance with law.

March 29, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |