

248 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23717-2021
DECIDED ON: 11th JANUARY, 2023

DEEPAK KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Mohit Kapoor, AAG, Punjab.

SANDEEP MOUDGIL, J. (ORAL)

Prayer in the present petition is for seeking directions to official respondents to arrest the accused persons-respondent No.5 and complete the investigation in which he has been specifically named in the FIR and specific role has been attributed with further prayer for issuance of direction to submit status report in FIR No. 75, dated 23.03.2021, registered under Sections 307, 34 IPC (offence under Section 302 IPC 1860 added later on) and Section 25 of Arms Act, 1959 at Police Station Jandiala, District Amritsar Rural.

Para Nos. 5 to 7 of the reply dated 27.10.2021 of Mr. Rakesh Kaushal, IPS, Senior Superintendent of Police, Amrtisar (Rural) is relevant for the disposal of present petition, which reads as under:-

“5. That, it is respectfully submitted that efforts were made to arrest Prince, however, he could not be arrested and now the PO proceedings have been initiated against him and the warrants of arrest have been issued by the Ld. Trial Court for 22.11.2021.

6. That, it is respectfully submitted that thereafter the investigation was further conducted and during the investigation the CDR, CCTV Footage, Calls details and other material evidence was collected by the Investigating Officer and the same was examined by the SHO, Police Station Jandiala. That, on the basis of the evidence collected during the investigation, it came on record that accused Kulwinder @ Ghudda was not present at the time of hatching of the conspiracy as well as at the time of occurrence of crime. The said accused Fulwinder @ Ghudda was thus declared innocent during the investigation and the said investigation was endorsed vide case diary No. 27 dated 29.06.2021 recorded by the Deputy Superintendent of Police, Jandiala, Sh. Sukhwinder Pal Singh, PPS while giving a detailed reasoning.

7. That, it is respectfully submitted that the deponent as well as the officers/GOs of Amritsar (Rural) Police, are well aware of the judgment dated 18.03.2021 "Pankaj Kumar @ Panki Vs. State of Punjab & Another passed in CRM-M-16013-2020" whereby multiple inquiries/parallel inquiries have been stopped/bared by this Hon'ble Court."

In view of the factual aspects as narrated in the afore-said reply nothing survives in the present petition and the present petition is disposed off as having been rendered infructuous.

However, a liberty is granted to the petitioner to take all of his legal remedies at appropriate stage before the competent court of law.

(SANDEEP MOUDGIL)
JUDGE

11th JANUARY, 2023
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>