

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-21178-2020

Date of Decision: 11.10.2023

Gurpreet Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Parveen Chauhan, Advocate for the petitioner.

Mr. Jaswinder Singh Arora, DAG, Punjab.

NIDHI GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to respondents No. 2 to 4 to conduct fair and proper investigation into case FIR No. 5 dated 25.01.2020 registered under Sections 332, 452, 353, 354, 295, 427, 148 and 120-B IPC at Police Station Makhu, District Ferozepur.

Vide order dated 22.02.2021, a co-ordinate Bench of this Court has directed the official respondents, which reads as under:-

“Case heard via video conferencing.

The SSP, Ferozepur, is directed to go into the matter and to file his own affidavit after personally viewing the CCTV footage in question, as to whether any offences punishable either under the provisions of Sections 307 or/and 324 etc. of the Indian Penal Code are made out, or any other offence at all is made out against the accused,

(other than those already mentioned in the FIR).

In the meanwhile, the report under Section 173 Cr.P.C. be not submitted till the next date of hearing only and specifically.

Adjourned to 19.03.2021.

It is made absolutely clear that the SSP shall not file a reply simply basing his observations or opinion on the opinion of any DSP etc., but will personally look at the CCTV footage and thereafter give his own opinion.”

Pursuant thereto, reply dated 16.03.2021 has been filed by way of affidavit of Sh. Bhagirath Singh Meena, IPS, Senior Superintendent of Police, District Ferozepur.

Learned counsel for the State refers to para 10 of the reply and further submits that in compliance of the aforesaid order dated 22.02.2021, the Senior Superintendent of Police, Ferozepur, had himself personally seen the CCTV footage and on the basis thereof, has given his opinion that ‘*no offence under Section 307 IPC or 324 IPC is made out in the present matter*’.

Learned counsel for the petitioner is unable to deny the aforesaid submissions made by learned counsel for the State.

In view of the aforesaid categoric submissions made by learned counsel for the State, no further direction is warranted in the present case and the same is accordingly disposed of, as such.

11.10.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No