

2023:PHHC:163051

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

106

CRM-M-48970-2021

Date of Decision : **December 19, 2023**

MUKESH KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Varun Sharma, Advocate
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. The instant petition has been filed for issuance of a mandamus upon the official respondents to conduct the fair and impartial investigation in case FIR No.17 dated 1.2.2021, under Sections 420, 506, 120-B IPC, registered at Police Station Dasuya, District Hoshiarpur.
2. On the last date of hearing i.e. on 22.11.2023, the following order was passed:-

“In the instant petition direction has been sought against the official respondents to conduct the fair and impartial investigation in case FIR No. 17 dated 01.02.2021, under Sections 420, 506 and 120-B of IPC, registered at Police Station Dasuya, District Hoshiarpur.

Status report filed by learned State counsel is taken on record.

Learned State counsel informs this Court on instruction from ASI Satnam, that the final report qua both the accused, was filed way back on 04.02.2022 and

are facing trial wherein, six witnesses have already been examined. Final report qua third accused i.e. Munish Dadwal, should be filed positively within a week from today. However other accused named by the petitioner in his complaint was found innocent during the course of investigation.

Learned counsel for the petitioner submits that the arguing counsel is in personal difficulty and he seeks last opportunity to address the arguments.

Adjourned to 19.12.2023.

To be shown in the urgent list.

It is made clear that no further adjournment shall be granted.”

3. However, since the investigation has already been completed, the learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition with liberty to raise all such pleas available to him before the learned trial Court concerned at the appropriate stage.

4. Dismissed as withdrawn with aforesaid liberty.

(KULDEEP TIWARI)
JUDGE

December 19, 2023
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No