

CRM-M-46024-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-46024-2023

Date of decision : November 15, 2023

Jaspal Singh

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Kawalpreet Singh Virk, Advocate, for the petitioner
Mr. Chetan Sharma, DAG, Haryana

KULDEEP TIWARI,J. (ORAL)

1. Petitioner Jaspal Singh, complainant in case FIR No. 376 dated 16.10.2021, under Sections 380, 457 IPC, Police Station Safidon, District Jind, invoked the inherent jurisdiction of this Court envisaged under Section 482 Cr.P.C. for issuance of directions to respondents No. 1 and 2 and to conduct fair and impartial investigation in this matter or to transfer the investigation to some independent investigating agency like Crime Branch or Special Investigation Team.

2. Upon direction of this Court, status report was filed by way of affidavit of Sh. Ashish Kumar, Deputy Superintendent of Police, Safidon, District Jind. The affidavit supra reveals that investigation is being carried out in its right direction. Accused namely Sunil @ Anil @ Hunny was arrested and recovery of Rs

1,46,000/- has been effected from him along with motorcycle purchased by him out of the crime proceeds. The another accused Jagbir, a goldsmith was also arrested and recovery of Rs 10,000/- was effected from him. The status report further reveals that as per disclosure statement of accused Sunil @ Anil @ Hunny, six other accused are also involved in the commission of alleged offence and all efforts are being made to arrest them.

3. It is further intimated through the aforesaid affidavit that Superintendent of Police, Jind, vide order dated 24.3.2023 has transferred the investigation of this case to Incharge, CIA Jind under the supervision of Deputy Superintendent of Police, Jind (Headquarter) for carrying out further investigation. The relevant extract of the affidavit disclosing the efforts made by the investigating agency is read as under:-

“XXX XXX XXX

9. *That on 24.04.2023, the accused namely Jagbir son of Shri Nidan Singh, resident of Lijwana Kalan, who was granted concession of anticipatory bail vide order dated 30.11.2022 passed in Criminal Misc. No.M-55446 of 2022, was joined in the investigation of the case and enquiry was made from him. On having sufficient incriminatory evidence he was arrested in this case on 25.04.2023, during interrogation the accused Jagbir suffered disclosure statement confessing his guilt in entirety. He disclosed that he is not having any account of the stolen ornaments which were purchased by him from co-accused and he has*

also spent the money met out from the sale of stolen ornaments for his personal expenses and also got recovered a sum of Rs. 10,000/- from his house which were taken in police possession through separate recovery memo. In furtherance of disclosure statement he got demarcated and identified the place of occurrence. Thereafter he was released on bail on the terms and conditions as imposed by this Hon'ble Court vide interim order, referred above.

10. That on 01.05.2023, search of absconding accused namely Monu son of Deep Chand, Dass son of Deep Chand and Bittu son of Deep Chand, resident of Buda Baba Basti, Jind was conducted at their house, but they were not found present there. On 14.05.2023, search of co-accused Sanjeep @ Sippy son of Maha Singh, resident of Thalia Basti, Lakhan Majra and Rohtash @ Tana on of Lakhmi, resident of Indergarh was conducted but they were not found present at house.

11. That on 30.08.2023, search of absconding accused namely Monu son of Deep Chand, Dass son of Deep Chand and Bittu son of Deep Chand, resident of Buda Baba Basti, Jind was conducted at their house, but they were not found present there. Further on 14.09.2023, search of co-accused Sanjeep @ Sippy son of Maha Singh, resident of Thalia Basti, Lakhan Majra and Rohtash @ Tana on of Lakhmi, resident of Indergarh was conducted by they were not found present at house.

12. That on 28.09.2023, scrutiny of the

investigation of the aforementioned case was conducted by the Deputy Superintendent of Police, Safidon (answering deponent) and after scrutiny of the investigation certain directions have been issued to Investigating Officer for conducting further investigation of the case.

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4. So far as the stage of trial is concerned, qua the accused who have been arrested, it is submitted that the final report has been filed before the Illaqa Magistrate and thereupon, the trial court framed charges on 10.4.2023 and now the case is fixed for prosecution evidence before the learned trial court.

5. Considering the above revelations made in the affidavit, this Court finds no reason to interfere in the on-going investigations and therefore, no further direction is required, at this stage.

6. The present petition stands disposed of.

7. In case, there is inordinate delay in completion of investigation qua the remaining accused, the petitioner shall be at liberty to re-access this Court.

November 15, 2023

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**(KULDEEP TIWARI)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>