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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of decision: 03.10.2023

Jagjit Singh

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. NPS Mann, Advocate for the petitioner.

Mr. Mohit Thakur, AAG Punjab.

ARUN MONGA, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. seeking issuance of directions to respondent Nos.3 and 4 to conduct fair investigation in case FIR No.109 dated 23.10.2021 registered under Sections 307, 384, 506, 120-B read with Section 34 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Chohla Sahib, District Tarn Taran and for taking action against Lakhbir Singh @ Landa and Satnam Singh @ Satta, who are the main accused in the present case.

2. Following stand has been taken in the status report dated 27.07.2022, which is already on record:-

“4. It is most respectfully submitted during the investigation the copies of confessional statements and Zimmies of above accused have been derived from the investigating officers of FIR No. 22 dated 28.01.2022 Under section 399,402 IPC, 21,61,85 of NDPS Act 25,54,59 Arms Act Police Station Sadar Patti District Tarn Taran and FIR No. 18 dated 11.02.2022 under section 399,402,216 IPC, 25,54,59 Arms Act at Police Station Sadar Patti District Tarn Taran and found that on 23.10.2021 above accused took the ransom and on saying Lakhbir Singh @ Landa, fired upon the complainant Jagjit Singh with the intention to kill at the patrol pump end of the canal of Chohla Khurd. In this regard through DDR No. 26 dated 26.02.2022 in FIR No. 109 dated 23.10.2021 under section. 307,384,506,34,189,120-B IPC, 25,54,59 Arms Act at Police Station Chohla Sahib, Gursewak Singh son of Swaran Singh, resident of Padhari Kala, PS Chabal, Varinder Singh @ Abbu son of Amrik

Singh, resident of Bainka PS Bhikhiwind, Doctor Raman @ Raman Kuar son of Kala Singh, resident of Khem Karan and Jagroop Singh @ Jug son of Gurbakhsh Singh, resident of Algon Khurd PS Valtoha have been nominated as accused. On 25.09.2022 the production warrant of accused Gursewak Singh son of Swarn Singh resident of Padhari Kala, PS Jhabal, Varinder Singh @ Abbu son of Amrik Singh resident of Bainka, PS Bhikhiwind, Dr. Raman @ Raman Kumar son of Kala Singh resident of Khemkaran have been obtained from the Ld. Court of JMIC Tarn Taran and brought from Central Jail of Amritsar and Goindwal Sahib and on 26.04.2022 Jagroop Singh @ Jug son of Gurbakhsh Singh, resident of Algon Khurd PS Valtoha was arrested as per law. After the investigation all the accused sent judicial custody.

5. *It is most respectfully submitted that during the course of investigation accused Gursewak Singh not disclosed the true facts, whereon the role of Doctor Raman @ Raman Kumar son of Kala Singh, resident of Khem Karan also checked that Dr. Raman who has been arrested on 21-10-2021 in FIR No. 78 dated 16.10.2021 under section 392,34 IPC, 25 Arms Act at Police Station Ghanie Ke Banger District Hoshiarpur and on occurrence dated 23-10-2021 he was in judicial custody. In this regard Dr. Raman @ Raman son of Kala Singh, resident of Khem Karan has declared as innocent in the present case and regarding declaring innocent the DDR No. 35 dated 04.05.2022 was entered.*

6. *It is most respectfully submitted that during the course investigation one representation vides No. 317 dated 21-05-2022 moved by Gurbakhsh Singh son of Mukhtar Singh, resident of Algon Khurd PS Valtoha for declare innocent to his son Jagroop Singh @ Jug son of Gurbakhsh Singh. ASI Hardial Singh conducting the enquiry of above representation and found accused Jagroop Singh @ Jug has nominated as accused in so many cases of different police station of Punjab and in FIR No. 213 dated 15.10.2021 under section 379-B IPC, 25,27,54,59 Arms Act at Police Station Chatiwind accused Jagroop Singh @ Jug has been arrested by ASI Jagir Singh Police Station Chatiwind. So accused Jagroop Singh @ Jug has declared as innocent in the present case because on occurrence dated 23.10.2021, he was not present there. In this regard DDR No. 22 dated 01.06.2022 was entered at police station Chohla Sahib.*

7. *It is most respectfully submitted that one motorcycle Bajaj Pulsor 125 CC color black bearing No. PB-46-AF-0752 has been recovered from the possession of accused Gursewak Singh which was used on occurrence. It is further submitted that for made the arrest of remaining accused of the present case i.e. Lakhbir Singh @ Landa and Satnam Singh @ Satta are being continue by conducting the raids and best efforts of local police because accused are hidden at an undisclosed place for apprehension of their arrest, also arrest warrant getting from the Ld. Court.*

8. *It is most respectfully submitted that the report under section 173 of Cr.P.C has been submitted before the Ld. Trial Court against accused Gursewak Singh son of Swarn Singh, resident of Padhri Kalan, Police Station Jhabal and Varinder Singh @ Abbu son of Amrik Singh, resident of Bainka, Police Station Bhikhiwind on*

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23.06.2022. The remaining accused Lakhbir Singh @ Landa son of Niranjan Singh, resident of Harike, PS Harike, now residing in Canada, and Satnam Singh son of Jaswant Singh, resident of Pati Jagpur, Naushehra Pannuan, District Tarn Taran to be arrested as yet and after their arrest the supplementary report under section 173(8) Cr.P.C will be submitted before the Ld Court.

9. It is most respectfully submitted that deponent has duly complied for compliance of orders dated 16.05.2022 of Hon'ble Court by the way of the fresh status report, also ready for complying of the further orders of the Hon'ble Court. Hence the fresh Status report is submitted.

3. In view of aforesaid, no further proceedings are required. It is expected that the investigating agency shall proceed further in accordance with law and take steps to arrest the accused as stated hereinabove.

4. Petition is hereby disposed of.

5. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

October 03, 2023
Ajay

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No