

CRM-M-48107-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48107-2023

Date of decision: 25.09.2023

AMANPREET CHEEMA

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sukhwinder Singh, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

1. The present petition has been filed for issuance of directions to respondents No.2 to 4 to file/present the final investigation report under Section 173 Cr.P.C. in case bearing FIR No.28 dated 31.01.2022, registered at Police Station City Rajpura, District Patiala, under Sections 406, 420 and 120-B IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012.

2. Learned counsel for the petitioner submits that earlier also, the petitioner approached this Court by way of CRM-M-59335-2022 for issuance of directions to the official respondents to arrest the accused in the aforesaid FIR, and that vide order dated 18.07.2023 passed by this Court, the said petition was disposed of with a direction to the investigating agency to proceed with the case and file the challan in accordance with law.

He further submits that till date, challan has not been presented in the concerned Court. He further submits that the petitioner has moved the

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representation dated 06.08.2023 (Annexure P-8) to respondent No.2-Senior Superintendent of Police, Patiala, for compliance of the order dated 18.07.2023, but the same has not been decided so far. He restricts his prayer to the extent that he would be satisfied if the said representation is ordered to be decided by respondent No.2 within a stipulated period.

3. Notice of motion.

4. On the asking of this Court, Mr. C.L.Pawar, Addl. A. G. Punjab, accepts notice on behalf of the respondents-State.

5. Mr. Lalit Singla, Advocate, puts in appearance for one of the accused, namely, Paramjit Singh.

6. Learned State counsel submits that one of the accused has moved an application for fair investigation in the present case and that now, the investigation is being conducted by the Superintendent of Police (Investigation). He also submits that he has no objection, if the aforesaid restricted prayer made by the learned counsel for the petitioner, is allowed.

7. I have heard the learned counsel for the parties.

8. In view of the limited prayer made by the learned counsel for the petitioner during the course of hearing, the present petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Patiala, to decide the representation dated 06.08.2023 (Annexure P-8), moved by the petitioner, within a period of one month from the date of receipt of copy of this order, in accordance with law.

25.09.2023

parveen kumar

(HARNARESH SINGH GILL)**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No