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

**CRM-M-44305-2019(O&M)  
Date of Decision: 13.03.2023**

MUKHTIAR SINGH

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present : Mr. Ravinder Singh, Advocate for  
Mr. H.S. Bedi, Advocate  
for the petitioner.

Mr. Harjinder S. Sidhu, AAG, Punjab.

**HARSH BUNGER, J. (Oral)**

The instant petition has been filed under Section 482 Cr.P.C with the prayer to direct the official respondents to present the challan in FIR No.101 dated 11.04.2019 registered under Sections 279, 337, 427 and 304-A IPC at Police Station Sohana (Annexure P-1), as even after passing of more than three months no challan has been presented without even taking into consideration the plight of the petitioner who has lost his only son in the said accident.

In compliance of the order dated 04.07.2022, a short reply by way of affidavit of Dr. Sandeep Kumar Garg, IPS, Senior Superintendent of Police, SAS Nagar (Mohali), District S.A.S Nagar has been filed on behalf of respondents No.1 to 3, wherein it has been stated as under:-

“2. That it is respectfully submitted here that on 11.04.2019, ASI Iqbal Singh received an information from MHC Constable

Kewal Kumar that Iqbal Singh son of Mukhtiar Singh r/o Village Swara has died in an accident. On which, ASI Iqbal Singh along with fellow officials went to Shri Guru Harkrishan Eye Hospital, Sohana, where the son of paternal uncle of deceased Iqbal Singh namely Karamjeet Singh met them, who got recorded his statement in which he broadly stated that on 11.04.2019 Iqbal Singh and Gurpreet Singh who were doing computer course at Bhagomajra, were going on their motorcycle PB-27-C-6388 make CBZ from Bhagomajra to their Village Sawara. He was also going the same way on his motorcycle and was behind them. The time was at around 1.30 p.m. when they reached at TDI, City Mohali, then from Banur side a Scorpio Car no. CH 100 (T) 2600 crossed him in high speed in a negligent manner and without giving any horn. It hit the motorcycle of his brother Iqbal Singh. The motorcycle of his brother Iqbal Singh got entangled in the Scorpio Car and it dragged them to a distance. Due to which, they suffered serious injuries and their motorcycle also got damaged. He with the help of by passers took them to Shri Guru Harkrishan Eye Hospital, Sohana and got them admitted. There his paternal uncle son namely Iqbal Singh died. The accident happened due to reckless high speed and negligent driving of unknown driver of Scorpio Car No. CH-100- (T)-2600. Thus, on the basis of the aforementioned statement of the complainant, the present FIR was registered.

3. That on 20.04.2019, the accused Amit Dhillon was arrested after interrogation and released after taking bail bonds.

4. That thereafter, the investigation was carried out and after completing investigation, on 20.08.2022 the Final Report under section 173 Cr.P.C. has been presented against the accused person under section 279, 337, 427, 304-A IPC after taking duly signed opinion from the concerned Doctor. In the opinion the doctor has opined that all the injuries are antemortem in nature and cause of death is hemorrhagic and shock, due to injuries already mentioned in PMR No. 4/SG/CH/Mohali/19, enough to cause death in ordinary course of nature.

5. That it is respectfully submitted here that the Id. Trial Court has framed the charges against the aforementioned accused on 03.09.2022 and now the next date is 24.11.2022 for leading prosecution evidence.

Learned State counsel submits that in view of the fact that report under Section 173(2) of Cr.P.C has already been filed before the trial Court and accordingly the present petition has been rendered infructuous.

Learned counsel for the petitioner does not dispute the submission made by learned State counsel.

In view of the above, the present petition is dismissed as having been rendered infructuous.

13.03.2023  
Amandeep

(HARSH BUNGER)  
JUDGE

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