

2023:PHHC:141555
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55680-2023
Date of Decision:07.11.2023

Dr. Ishavardas Singh Sidhu

...Petitioner

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. S.S Bhinder, Advocate and
Mr. D.S Bhinder, Advocate
for the petitioner.

Mr. Amish Sharma, Assistant Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

The petitioner has filed the present petition under Section 482 Cr.PC with a prayer to issue appropriate directions to the official respondents to conduct the fair and impartial investigation in case arising out of FIR No. 293 dated 27.10.2021 under Sections 447,427,506 and 34 of IPC, registered at Police Station Lambi, District Sri Muktsar Sahib.

2. Reply by way of an affidavit of Deputy Superintendent of Police, Malout, Additional Charge of DSP, Sub Division Lambi, Sri Muktsar Sahib has been filed on behalf of respondent-State and the same is taken on record.

3. Learned State counsel on instructions from ASI Jaswinder Singh submits that in the present case the cancellation report was prepared and was filed before the Court; however, vide order dated 05.09.2023, the Court of Judicial Magistrate Ist Class, Malout returned the cancellation report to the police for further investigation. He further submits that the

petitioner/complainant is not coming forward to join the investigation.

4. On the other hand, learned counsel for the petitioner has seriously disputed the statement made by learned State counsel. He submits that the petitioner/complainant has repeatedly approached the Investigating Officer for joining the investigation, but he was not permitted to do so. He further contends that the petitioner/complainant is ready to co-operate with the Investigating Agency in all respect and is ready to provide all incriminating evidence against the accused.

5. Consequently, the present petition is disposed of with a direction to the petitioner to join the investigation at 10:AM on 28.11.2023, 29.11.2023 and 30.11.2023 and on other dates, as and when required by the Investigating Agency.

6. In case, the petitioner is not associated with the investigation, he shall be at liberty to move an application in this regard before the Area Magistrate concerned. It is expected that the investigation shall be conducted fairly and impartially by the Investigating Officer of the present case.

7. The present petition stands disposed off.

(N.S.SHEKHAWAT)
JUDGE

07.11.2023
hitesh

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