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

**CRM-M-56233-2023 (O&M)
Date of decision : 07.11.2023**

Rajinder Singh

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Lupil Gupta, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure (for short, '*the Cr.P.C.*'), *inter alia*, for directing the respondent to conduct fair and impartial investigation of FIR No.0194 dated 19.09.2023, under Sections 323, 148, 149 (Sections 302 added subsequently), of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station Sadar, Fazilka.

2. Contends that after registration of present FIR, accused, namely, Dalip Singh and Rajinder Singh were arrested on 23.09.2023, but without producing them before the Court of competent jurisdiction, they were released by the police after 05 days. Further contends that on 17.10.2023, the remaining accused persons, namely, Pritam Singh, Parkash Rani, Gaurav and Mangat were also arrested; however, Gaurav was still not produced before the Court. Further submits that to the knowledge of petitioner, the official respondent Nos.4 to 7 have prepared to exonerate all the accused in this case without proper investigation.

3. Heard learned counsel for the petitioner and perused the paper-book.
4. Initially, present FIR was registered on 19.09.2023, under Sections 323, 148 & 149 of the IPC. Thereafter, offence under Section 302 of the IPC was added on 23.09.2023 in view of the fact that father of petitioner died during treatment in the hospital. Although, there is no formal notice of motion in this case, but Mr. C.L. Pawar, Addl.A.G., Punjab, on instructions, apprised the Court that investigation is still going on in the matter.
6. In view of the above factual position, this Court is not inclined to entertain the petition under Section 482 Cr.P.C. for issuing any mandate to the Investigating officer at this stage.
7. As a result thereof, there is no option except to dismiss the petition.
8. Ordered accordingly.
9. However, it is made clear that if an occasion so arises, the petitioner would be at liberty to avail his remedy, as per law.
10. Pending application(s), if any, shall stand disposed off.

07.11.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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