

CRM-M No.62134 of 2023 (O&M)

2023:PHHC:162959

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

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**CRM-M No.62134 of 2023 (O&M)
Date of Decision: 19.12.2023**

GAURAV**.....Petitioner****Vs****THE STATE OF PUNJAB AND OTHERS****....Respondents****CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA***

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Shubham Kaushik, Asstt. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

[1]. By way of present petition under Section 482 Cr.P.C., prayer has been made for issuance of directions to official respondent Nos.2 and 3 for taking action and to investigate in case FIR No.214 dated 19.05.2015 registered under Sections 325, 506, 148, 149, 341, 427 IPC at Police Station Phagwara City District Kapurthala and submit the final report under Section 173 Cr.P.C.

[2]. In pursuance of order dated 13.12.2023, affidavit of Vatsala Gupta, IPS, Senior Superintendent of Police, District Kapurthala on behalf of respondent Nos.1 to 3 has been filed in Court. The same is taken on record.

[3]. As per said affidavit dated 18.12.2023, cancellation report was prepared on 29.10.2021 before filing of the present petition though was never presented, however, the same has now been done on 15.12.2023. There has been an apparent inordinate delay on the part of Investigating Agency in compliance of

order dated 29.07.2019 passed by the Sub-Divisional Judicial Magistrate, Phagwara, whereby a direction was issued for further investigation. On account of inaction on the part of Investigating Agency, petitioner has been compelled to approach this Court.

[4]. In view of inaction on its part, the Investigating Agency is directed to compensate the petitioner for a sum of Rs.25,000/- towards litigation expenses incurred by him. The amount of cost(s) shall be paid by the officer, who delayed the filing of final report before the concerned Court. A receipt in this regard shall be furnished before the Registry of this Court by the respondents within a period of 15 days from the date of receipt of certified copy of this order. In case of default, the amount of cost(s) shall be recovered as arrears of land revenue.

[5]. In view of aforesaid direction, this petition is disposed of

December 19, 2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No