

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

**CRM-M-5696-2024
DECIDED ON: 12.03.2024**

PRAVEEN DEVGAN AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajat Dogra, Advocate
for the petitioners.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for issuance of appropriate directions to the respondents to fairly investigate the case i.e. FIR No.141, dated 30.07.2022 (Annexure P-3), under Sections 323 IPC and Section 4 of Public Protection of Medicare Service Persons and Medicare Service Institutions (Prevention of Violation and Damage to Property) Bill, 2008, registered at Police Station Ranjit Avenue, District Amritsar.

Considering the submissions and reasons assigned in the petition, this Court vide order dated 05.02.2024 called upon the State of Punjab to file a status report with regard to the investigation conducted so far in the said FIR and accordingly, a status report was earlier filed on 29.02.2024 by way of an affidavit of Gurpreet Singh Bhullar, IPS, Commissioner of Police, Amritsar, wherein it was stated that there is some lapse on the part of police officials, who are conducting the investigation in

the matter and assurance was given that necessary departmental action in due course shall be initiated against all the erring official, who is guilty for such lapse.

Instead of disposing the present petition, this Court called upon for another status report after taking departmental action whatever the authorities deem fit in the matter and in the light of the same, today a fresh status report dated 05.03.2024 has been filed by way of an affidavit of Gurpreet Singh Bhullar, IPS, Commissioner of Police, Amritsar, which is taken on record. Learned State counsel has referred to para Nos.4 to 6 in support of compliance of assurance given by him before this Court on previous date, which reads as under:-

“4. That it is submitted that as per the report furnished by the Additional Deputy Commissioner of Police (City-2), Amritsar, after registration of the aforesaid case FIR No. 141/2022 (supra), the investigation thereof remained pending with S.I Waris Masih No. 1104/ASR, SI Jarmanjit Singh No. 1493/ASR, ASI Amarbir Singh No. 3452 and SI Paramjit Singh No. 1399/ASR, but these police officials did not conduct investigation of this case properly and also did not take effective steps to arrest the accused in this case. Therefore, due to this lapse, a regular departmental enquiry has been initiated against the aforementioned erring police officials. The order of the departmental enquiry is annexed herewith as Annexure R-1/T for the kind perusal of this Hon'ble Court. In addition to this, explanation has also been called of the concerned SHOs in this respect who have remained posted at Police Station Ranjit Avenue, Amritsar since 30.07.2022 up to date. Apart from this a regular departmental enquiry has also been initiated against Inspector Harprit Singh the

incumbent SHO, PS Ranjit Avenue, Amritsar vide this office order bearing No. 427-33/PA dated 02.03.2024 for not taking effective steps since 21.02.2024 so as to arrest the accused and explanation of ACP North, Amritsar has also been called in this respect.

5. That it is further submitted that the accused Subhash Kumar was arrested by the police and he was granted relief of interim bail vide order dated 1.3.2024 passed by the Court of learned Additional Sessions Judge, Amritsar has joined the investigation of the aforesaid case FIR No. 141/2022 (supra) on 03.03.2024 and he was released upon furnishing bail and surety bonds to the satisfaction of the Investigating Officer.

6. That it is respectfully submitted that the deponent has issued directions to the Additional Deputy Commissioner of Police (City-2), Amritsar to complete the investigation of the aforesaid case FIR No. 141/2022 (supra) and submit its final report under Section 173 (2) Cr.P.C. before the learned Court of competent jurisdiction without any unwarranted delay.”

In view of the above, it is evident that action has been taken and department proceedings have been initiated against the erring officials and, therefore, nothing survives in the instant petition and the same is disposed off accordingly.

12.03.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>