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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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CRM-M-18688-2024 (O&M)
Date of decision: 29.07.2024

Jagjit Singh and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Jatin, Advocate
for the petitioner.

Mr. A. S. Samra, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of Cr.P.C. seeking issuance of direction to respondent No. 2-Senior Superintendent of Police, Fatehgarh Sahib to restrain respondent No. 3-SHO, Police Station Bassi Pathana and other police officials from raiding the house of the petitioners without there being any reason and also to decide the representation dated 11.04.2024 (Annexure P-1) moved by the petitioners.
2. Heard.
3. Upon notice, reply has been filed by the respondent-State, wherein it is stated that an FIR bearing No. 18 dated 04.03.2024 was registered under Sections 376 and 506 of IPC at Police Station Bassi Pathana against one Jagpal Singh on the basis of the statement made by complainant 'R' (name withheld). It is further stated that investigation in the said case had been completed and *challan* was presented on 18.05.2024 against said

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Jagpal Singh and now the case is fixed for prosecution evidence. It is also stated that another FIR bearing No. 28 dated 02.04.2024 has been registered under Sections 420, 406, 341, 506 and 120-B of IPC at Police Station Bassi Pathana against petitioner No. 1 Jagjit Singh, petitioner No. 3 Ravinderpal Singh and co-accused Jagdish Kumar at the instance of complainant Avtar Singh. During investigation in FIR No. 28, the accused persons were served with notice under Section 41-A of Cr.P.C. on 02.04.2024. Petitioner Nos. 1 and 3 had been extended benefit of anticipatory bail, vide order dated 08.05.2024, passed by the Additional Sessions Judge, Fatehgarh Sahib and they had joined investigation. The investigation in FIR No. 28 is still going on.

4. Learned State counsel, in terms of the aforesaid status report, submits that the petitioners were never harassed by any of the police officials as alleged by them. Rather, petitioner Nos. 1 and 3 are required to cooperate in the investigation.

5. After hearing learned counsel for the parties and going through the material placed on record, it is apparent that aforesaid FIR No. 18 has been registered against one Jagpal Singh, who is stated to be the relative of the present petitioners. Whereas, aforementioned FIR No. 28 has been registered against petitioner Nos. 1 and 3 and co-accused, wherein, admittedly, petitioner Nos. 1 and 3 have been granted concession of anticipatory bail by the Court of learned Additional Sessions Judge, Amritsar.

6. As such, they were required to join investigation and cooperate in the same. By asking the petitioners to join the investigation, it cannot be

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said that respondent No. 3 or any other police officials have harassed the petitioners in any manner. Rather, a proper procedure is shown to have been followed by them during investigation in both the matters. Hence, this Court is of the considered opinion that no ground has been made to issue any direction to respondent No. 2 qua respondent No. 3. So far as the representation (Annexure P-1) filed by the petitioners concerned, the petitioners, well within their wisdom, can avail their alternative remedy in accordance with law.

6. In view of the discussion as made above, the present petition is dismissed being devoid of any merit.

29.07.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No