



113 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23593-2024
Decided on:-13.05.2024

Avtar Singh

....Petitioner..

VS.

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajiv Malhotra, Advocate with
Mr. Shubham Mittal, Advocate and
Ms. Avishal Sharma, Advocate for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, prayer has been made for issuance of direction to constitute a Special Investigation Team under the supervision of higher officials to conduct prompt, extensive, fair and impartial investigation against the accused persons.

2. A cumulative analysis of the facts and circumstances of the present case including the medico legal reports appended along with the present petition as Annexures P-4 & P-5 besides the video CD Annexure P-2 (at page 24), which was seen by the learned State counsel under the instructions of this Court, shows that apparently respondent No.6 did not perform his statutory duty and instead of registration of FIR under the relevant provisions, mere kalandra under Section 107 Cr.P.C. was got

entered, thereby, compelling the petitioner to approach this Court, in order to

seek his grievance.

3. Learned State counsel on instructions from the concerned police official submits that upon re-consideration of the matter and having gone through the medico legal reports as well as video CD, which were earlier not available with the investigating team, FIR No.147, dated 11.05.2024, at Police Station Dera Bassi has been registered against the perpetrators and the investigation is in progress.

4. Substantially, the grievance raised by the petitioner in the present petition stands redressed, however, for keeping blind eyes and deaf ears to the complaint made by the petitioner, thereby forcing him to file present petition and burdening this Court for unnecessary litigation, respondent No.6-the SHO concerned i.e. incumbent, who was in office at the time when the first complaint was moved by the petitioner, he is saddled with costs of Rs.10,000/- to be deposited with the Poor Patient Welfare Fund, PGIMER, Chandigarh within a period of one week from today and in case there is any delay, the salary of the concerned officer shall remain attached till the cost is deposited.

5. Disposed of accordingly.

13.05.2024
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(HARKESH MANUJA)
JUDGE

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