

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-25364-2024
Date of decision: 20.05.2024

Jatinder SinghPetitioner.

Versus

State of Punjab and othersRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Gagandeep Singh Simble, Advocate,
for the petitioner.

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SANJIV BERRY, J. (ORAL)

Instant petition under Section 482 Cr. PC has been preferred seeking direction to respondents No. 2 and 3 to take over the investigation of the FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
17	10.02.2024	324, 323, 427, 148 and 149 IPC (Section 326 IPC added lateron)	Dinanagar, District Gurdaspur

2. Heard.
3. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner happens to be the complainant in case FIR (Annexure P-1) which was registered against respondent No. 6 and



other persons for the offences under Section 323, 324, 427, 148 and 149 IPC. He further contends that proper investigation in the matter has not been carried out and that respondent No. 6 is roaming freely and has yet not been arrested by the police.

4. Notice of motion to the official respondents.

5. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, who is present in Court, accepts notice on behalf of respondents No. 1 to 5 and, on instructions from ASI Naresh Kumar, P.S. Dinanagar, District Gurdaspur, has submitted that respondent No. 6 was arrested by the police in this case on 13.02.2024 but since the offences were bailable at that stage after taking his bail bonds he was allowed to go but now since offence under Section 326 IPC is added in the aforesaid FIR, appropriate action will be taken in accordance with the law.

6. At this stage, Mr. Vipin Mahajan, Advocate, has put in appearance on behalf of respondent No. 6 and has filed his memo of appearance, the same is taken on record. He has submitted that respondent No. 6 has already filed an application for grant of bail, which is pending for today, before the learned Sessions Judge, Gurdaspur.

7. Faced with this situation, learned counsel for the petitioner, has sought withdrawal of the instant petition at this stage

with liberty to the petitioner to file the same afresh in accordance with the laws, if so required in future.

8. Dismissed as withdrawn with aforesaid liberty.

20.05.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |