

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-32644-2023 (O&M)
Date of Decision:-20.3.2024

Gurnek Singh ... Petitioner
Versus
State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mrs. Kanwal S. Walia, Advocate for the petitioner.
Mr. Gauravdeep Singh Dhaliwal, DAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner/complainant has approached this Court seeking issuance of directions to the official respondent not to hold a second inquiry in FIR No.65, dated 30.5.2023 registered at Police Station Sadar, Patiala, under Sections 379, 324, 323, 341, 342, 506, 148, 149 of Indian Penal Code and Sections 25, 54, 59 of Arms Act and also to arrest accused Nos.4 to 6 and to recover material evidence from them. A prayer has also been made for directing respondent No.2 – Senior Superintendent of Police, Patiala to record the statement of petitioner/complainant afresh.
2. The petitioner had lodged FIR No.65, dated 30.5.2023 against private respondents No.4 to 6. The police upon investigation filed final report under Section 173 Cr.P.C. before the Presiding Officer, National Lok Adalat, Patiala in the nature of a cancellation report. However, since the complainant

objected to acceptance of the same, the Presiding Officer, National Lok Adalat, Patiala directed that the matter be further re-investigated. A copy of order dated 9.3.2024 passed by learned Presiding Officer, National Lok Adalat, Patiala has been furnished to this Court, which is taken on record.

3. Mr. Gauravdeep Singh Dhaliwal, DAG, Punjab, upon whom an advance copy of petition had already been served, upon instructions from Head Constable Gagandeep Singh, has informed that pursuant to return of cancellation report, the matter is being further investigated and a fresh report under Section 173 Cr.P.C. has not been filed yet.
4. Having heard learned counsel for the petitioner, but without commenting anything as regards veracity of averments made in the petition, the instant petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, Patiala ensure that the matter arising out of FIR No.65, dated 30.5.2023 is got investigated fairly and expeditiously. It is further directed that the statement of the petitioner/complainant be recorded afresh before presentation of report under Section 173 Cr.P.C.

20.3.2024

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No