

2024:PHHC:015039

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

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CRM-M-34204-2023
Date of Decision : February 05, 2024

AMARJIT SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sunil Kumar, Advocate for
Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. This is the second petition on the same cause of action, which has been preferred by the present petitioner.
2. The prayer in the instant petition is with regard to issuance of directions to re-investigate the case in FIR No.72 dated 29.10.2019, under Sections 323, 324, 506, 148, 149 IPC, registered at Police Station Aur, District SBS Nagar and to transfer the investigation to any other independent agency like Crime Branch or to any other senior police officer.
3. The instant motion is infact a misconceived motion, as the petitioner has an alternate remedy as envisaged under Section 173(8) Cr.P.C. Instead of availing the alternate remedy, the petitioner has moved the second motion before this Court under Section 482 Cr.P.C.
4. On the other hand, the learned State counsel has also

informed this Court that the examination of the prosecution witnesses in the main FIR has already been concluded, whereas, in the cross-case, the examination of the prosecution witnesses is under way. Since much progress has been made before the learned trial Court concerned, therefore, at this stage, this Court refrains to pass directions for re-investigation, especially when the petitioner has opted not to avail the alternate remedy before the appropriate Court at the appropriate stage.

5. In view of the above, the instant petition is dismissed.

February 05, 2024	(KULDEEP TIWARI)
ajay-1	JUDGE
Whether speaking/reasoned.	: Yes/No
Whether Reportable.	: Yes/No