



CRM-M-36601-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(251)

CRM-M-36601-2020
Date of Decision : 29.11.2024

Amar Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Malkiat Singh, DAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, filed under Section 482 of Cr.P.C., a prayer is made for issuance of mandamus upon the official respondents No.1 to 3, to re-investigate the matter in FIR No.135 dated 12.09.2019 (Annexure P-1), under Sections 302 and 34 of the IPC, 1860 (Section 34 of the IPC, deleted later on), registered at Police Station Kabarwala, District Sri Muktsar Sahib, Punjab, as the investigation has been conducted in a shoddy manner.
2. The instant petition is pending since 2020, and in the meanwhile, the trial has proceeded, and charges against the accused have already been framed. Furthermore, out of total 30 prosecution witnesses, as cited by the prosecution, five witnesses have been examined, as on date. The petitioner has not even opted to file any motion, before the learned trial Court concerned, under Section 173(8) of Cr.P.C., i.e. for making a request for further investigation.



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3. In case, the petitioner finds any dereliction on the part of the prosecution agency, he could have opted for filing the apt motion, before the learned trial Court concerned, seeking further investigation, by citing such shortcomings in the investigation.
4. Therefore, at this stage, when the trial has proceeded further, far from the stage of investigation, this Court is not inclined to grant the asked for relief. Accordingly, the instant petition is **dismissed**.

(KULDEEP TIWARI)
JUDGE

November 29, 2024
Manpreet

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