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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-34190-2024
Date of Decision:- 04.10.2024

Harbhajan Lal ....Petitioner

Versus

State of Punjab and others ....Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sartaj Singh Gill, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

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AMARJOT BHATTI, J.

1. Petitioner Harbhajan Lal filed petition under Section 482 Cr.P.C. that investigation of FIR No. 63 dated 18.06.2024 under Sections 279, 304-A and 427 of IPC, registered at Police Station Mehtiana, District Hoshiarpur, Punjab (Annexure P-1) be handed over to Special Investigation Team headed by Police Officer of senior rank to respondent No. 3, as despite availability of CCTV footage, present petitioner has been arrayed as accused and investigation carried out by police is not fair and impartial.

2. Status report has been filed by respondent-State, which is taken on record, subject to all just exceptions, confirming that CCTV footage from a shop situated at Ahrana Khurd was obtained but it was with blurred vision. Petitioner is visible in white clothes, while driving the Innova car. Petitioner alongwith Gurpreet Singh were joined in investigation on 18.06.2024 and present petitioner was released on bail,

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since the offence is bailable. Statement of Amarpreet Samra was recorded which is Annexure R-1/T. During investigation, it came into light that it was petitioner who had committed offence. As per status report, present petitioner is not involved in any other criminal case.

3. I have considered the aforesaid factual position. As per the case of present petitioner who is 68 years old claimed that accident was not caused due to his rash and negligent driving. He was not driving Innova car bearing Registration No. PB-08-CK-0910 and this fact is clear from CCTV footage. Alongwith petition, still photographs of CCTV footage are also annexed. As per status report, it is apparent that Investigating Officer was well aware of CCTV footage and according to Investigating Officer, it was petitioner who was driving Innova vehicle.

Investigation is to be carried out by police in a fair and proper manner. Petitioner was joined in investigation and was released on bail. Basically, he is relying upon a CCTV footage on the basis of which he is claiming that at the time of alleged occurrence, he was not driving the Innova vehicle.

4. Considering the aforesaid facts, present petition is disposed of with direction to petitioner to appear before the Investigating Officer alongwith said CCTV footage and in return, Investigating Officer will consider the said CCTV footage in a fair and impartial manner and accordingly, will proceed with investigation of this case.

04.10.2024 **(AMARJOT BHATTI)**
lalit **JUDGE**

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

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