

SAHIB SINGH

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

Present: Mr. Tajeshwar S. Butta, Advocate and
Mr. Avjit S. Randhawa, Advocate for the petitioner.

Mr. Eklavya Darshi, DAG, Punjab.

HARPREET SINGH BRAR J. (ORAL)

Prayer in the present petition filed under Section 482 Cr.P.C. is for issuance of directions to respondent Nos.1 to 6 to conduct fair, expeditious and impartial investigation into the representation (Annexure P-1) and for initiation of appropriate action by the registration of an FIR against respondent No.7.

2. Pursuant to the notice of motion issued by this Court on 27.08.2019, a reply by way of an affidavit of DSP, Sub-Division Majitha, District Amritsar (Rural) was filed on behalf of respondent Nos.1 to 5. Thereafter, on 21.03.2022, the Senior Superintendent of Police, Amritsar (Rural) was directed to file affidavit as per the veracity of allegations made in the petition.

3. The affidavit of Senior Superintendent of Police, District Amritsar (Rural) was filed in compliance of the aforementioned order. The veracity of the allegations was examined and the allegations leveled against respondent No.7 were not found to be substantiated and the recommendation of the inquiry officer i.e. Superintendent of Police, Pb, Amritsar(Rural) was approved by the Senior Superintendent of Police.

4. Learned counsel for the petitioner submits that there are several inconsistencies and shortcomings in the findings returned by the inquiry officer. A biased and tinted inquiry is conducted because respondent No.7 was a police official.
5. The petitioner has not approached the jurisdictional Magistrate and straight away approached this Court, by seeking directions for registration of the FIR.
6. Learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to invoke his alternative remedy as available to him in accordance with law.
7. Needless to say that nothing observed herein shall be construed to be an opinion on the merits of the present case.
8. In case, the appropriate application under Section 156(3) Cr.P.C. is filed by the petitioner, the same shall be decided in its own merits strictly in accordance with the law.

March 21, 2024
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(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No