

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48258-2019
Reserved on: 12.03.2024
Pronounced on: 14.03.2024
2024: PHHC: 036413

RANJODH SINGH
Vs.
AMRIK SINGH AND OTHERS
..... PETITIONER
..... RESPONDENTS

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Argued By:- Mr. K.S. Nalwa, Advocate, with
Mr. Yajur Sharma, Advocate, for the petitioner.

Mr. Atul Goyal, Advocate, for respondent No.1.

Mr. Amandeep Singh, DAG, Punjab,
for respondents No.2 and 3.

DEEPAK GUPTA, J.

Petitioner is aggrieved by the order dated 23.09.2019 (Annexure P5) passed by Id. Judicial Magistrate Ist Class, Ludhiana in Criminal Complaint No. COMI/773/2016 dated 14.10.2016 (Annexure P2) to the extent of the directions issued to respondent No.3 – SHO, PS Sanhewal, District Ludhiana to conduct fresh investigation without making reference to the previous enquiries.

2. Today, after hearing Ld. counsel for both the parties and with their consensus, the impugned order dated 23.09.2019 (Annexure P5) is hereby modified to the extent that though SHO shall conduct the fresh enquiry as per Section 202 CrPC, as has been directed by Id. Judicial Magistrate Ist Class, Ludhiana, but will not be influenced by any of the enquiries as conducted earlier. It is made clear that though the SHO

concerned will be at liberty to make reference of earlier enquiries, but while drawing his conclusions, he will not be influenced by the findings of earlier enquiries. The SHO shall also take into consideration the fresh material, found during investigation.

The present petition is disposed of accordingly.

14.03.2024
Vivek

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes
No