

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CRM-M-58329-2023

Date of Decision : January 09, 2024

MAKHAN LAL AGGARWAL

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Satyendra Chauhan, Advocate
for the petitioner.

Mr. M.S. Bajwa, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., prayer is made for issuance of directions upon the respondents No.2 and 3 to submit the status report in case FIR No.41 dated 24.3.2022, under Sections 379-B/452/323/149/506/341 of the IPC, registered at P.S. Maur, District Bathinda. In addition, prayer is also made for restraining the respondents No.2 and 3 to hold multiple inquiries in FIR (supra) parallel to the investigation, which is in violation of the instructions (Annexure P-5) and office order (Annexure P-6). Moreover, prayer is also made for staying the fresh/pending inquiry proceedings, as initiated by respondent No.2, in FIR (supra).

2. The learned State counsel has drawn attention of this Court towards the status report dated 20.12.2023, to contend that challan has already been presented in the FIR (supra). The submissions, as made in paragraph No.4 of the status report (supra), are extracted hereinafter:-

“4. That during the investigation, the incriminating evidence came on file against all the accused. After completing the investigation, the challan in the FIR in question was filed in the learned Court on 03.11.2023 and now the case is pending before the learned court of C.J.M., Talwandi Sabo and the next date of hearing is fixed for 13.02.2024. The charges are yet to be framed.”

3. Taking into consideration the hereinabove extracted submissions, especially the fact that challan has already been presented, this Court does not deem it appropriate to, at this stage, interfere in the matter and grant the asked for reliefs. However, as prayed for by the learned counsel for the petitioner, liberty is granted to the petitioner to raise his grievance(s), if any, before the learned trial Court concerned, through recouring the apt statutory remedy. Moreover, in case, the petitioner approaches the learned trial Court concerned, through canvassing his grievance in an appropriately instituted application, the latter shall make an appropriate decision upon the same, within the prescribed parameters of law.

4. The instant petition is disposed of accordingly.

January 09, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No