



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRWP No.205 of 2024 (O&M)
Date of Decision: 28.05.2024**

Tahil Mohd. and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Sukhjit Singh, Advocate for the petitioners.

Mr. Neeraj Madaan, Sr. DAG, Punjab
for respondent Nos.1 to 3.

Mr. G.S.Kaura, Advocate for respondent Nos.4 to 17.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Article 226 of the Constitution read with Section 482 of the Code of Criminal Procedure, 1973 praying for issuance of directions to respondent Nos.2 & 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.5 to 17.

(2) Status Report by way of an affidavit dated 21.03.2024 of Sh. Amritpal Singh, DSP, Sub Division Ahmedgarh, District Malerkotla on behalf of respondent Nos.1 to 3 in compliance of order dated 09.02.2024 has



been filed. The same is taken on record. Copy thereof supplied to the opposite side.

(3) Para 6 of the aforesaid affidavit reads as under:-

"That the concerned documents were further entrusted to the Assistant District Attorney (Legal), Malerkotla for legal opinion, who after going through the enquiry report, statements of witnesses and the material available on the record, had opined that, "as per my considered opinion, on the basis of inquiry conducted by S.P. (Investigation), Malerkotla, a prima facie case is made out under Sections 323/341/500/506 IPC. If during investigation any new fact, any evidence came on record, then it is the prerogative of Investigating Officer will consider the same for increase or decrease of the offences under the provisions of law".

Upon the recommendations made by the Superintendent of Police, (Investigation), Malerkotla as well as opinion, sought from the Assistant District Attorney (Legal), Malerkotla, the Senior Superintendent of Police, Malerkotla has directed SHO, Police Station, City Ahmedgarh to register a case against the private respondents and investigate. Accordingly, case/FIR No. 11 dated 06.03.2024 under Sections 323/341/500/506 IPC has been registered at Police Station, City Ahmedgarh, District Malerkotla against the accused/private respondents namely, 1.) Mohammad Aslam @ Afridi, 2.) Mohammad Akram, 3.) Safiq Mohammad sons of Noor Mohammad, 4.) Dr. Sardar Ali son of Mohammad Bashir, 5.) Akram Mohammad @ Jaggu son of Kishori, 6.) Dr. Rustam Sheikh son of Nazar Khan, 7.) Sahukat Ali son of Siraj Mohammad, 8.) Amjad Khan @ Kaka, 9.) Mohammad Aslam Laichi @ Mia Jalebi Wala, 10.) Mohammad Ashraf son of Faqiria Mohammad, 11.) Imran Fani son of Abdul Cah Wala, 12.) Anwer Khan @



Jaggu son of Butta Khan, 13.) Vipin Kumar son of Pawan Kumar, 14.) Pawan Kumar and 15.) Chirag Mohammad son of Tad Mohammad and the investigation has commenced.”

- (4) Perusal of the above extract reveals that FIR No.11 dated 06.03.2024, under Sections 323, 341, 500 & 506 IPC has been registered at Police Station, City Ahmedgarh, District Malerkotla in the matter and investigation is going on.
- (5) In view of the above, present petition is disposed off with direction to the Investigating Officer concerned to proceed in the matter, expeditiously, if there is no legal impediment.
- (6) Needless to say that this order be not construed as an expression of opinion on the merits of controversy in any manner.
- (7) Pending application(s), if any, shall also stand disposed off.

28th May, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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