



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.5388 of 2025 (O&M)

Date of decision: 04.04.2025

Gurmit @ Bhola and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Prikshit Thakur, Advocate for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. (now Section 528 of BNSS, 2023), is for issuance of directions to transfer the investigation of FIR No.225 dated 28.07.2023, registered under Sections 323, 324, 294, 148, 149, 336 IPC (Section 326 IPC added later on) and Sections 25 and 27 of the Arms Act, 1959, at Police Station Islamabad, District Police Commissionerate, Amritsar, to some independent agency or preferably to a Senior Officer of Department in view of the fact that investigation in FIR (supra) is not conducted in a fair and transparent manner.

On 30.01.2025, the following order was passed by this

Court:-

“XX XX XX XX
Learned counsel for the petitioners inter alia contends that in spite of the fact that the FIR (supra) was registered on 28.07.2023, till date, the jurisdictional police authorities have neither arrested all the accused persons nor completed the investigation.

2025:PHHC:046097



*The learned State counsel appears on receipt of advance notice and seeks short accommodation to have complete instructions with regard to the status of the investigation.
Adjourned to 04.04.2025.”*

In compliance thereto, status report by way of affidavit of Jaspal Singh, Assistant Commissioner of Police (Central), Amritsar City, on behalf of respondents No.1 to 3 has been filed in the Court today, which is taken on record. Copy thereof has been supplied to learned counsel for the petitioners in the Court itself.

Learned State counsel submits that the veracity of the allegations made by the petitioners has been duly examined and after conclusion of the investigation, a cancellation report has been prepared and the same would be submitted before the jurisdictional Magistrate within a period of 04 weeks from today.

In view of the above, the present petition is disposed of.

However, the petitioners are granted the liberty to file a protest petition and raise necessary objections in accordance with the judgment passed by this Court in ***Pawan Kharbanda vs. State of Punjab and Another, passed in CRM-M No.3193 of 2025, decided on 29.01.2025.*** The concerned Court is directed to consider the petitioners’ case in light of the decision in ***Pawan Kharbanda’s case (supra).***

(HARPREET SINGH BRAR)
JUDGE

04.04.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No