

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22348-2025 (O&M)

Date of Decision: 30.04.2025

Sukhwinder Singh

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Ms. Mohpreet Kaur, Advocate for the petitioner

Sandeep Moudgil, J.

(1). This petition has been filed under Sections 528 BNSS for issuance of a direction to respondents No.1 to 5 to arrest the persons who are named in the FIR No.24 dated 07.04.2024 under Sections 336/34 IPC, Sections 25/27 of Arms Act, registered at Police Station Rangar Nangal, District Gurdaspur.

(2). Counsel for the petitioner submits that three unknown persons came on motor cycle and fired on the main gate of his house and the present FIR was lodged. He then submits that challan has been presented against three accused persons, Ravinder @ Ravi, Prabhjot Singh and Manjinder Singh and vide order dated 24.01.2025, Ravinder @ Ravi has been declared as proclaimed offender. It is pointed out that accused Sarabjit Singh @ Saba though named in the FIR but has not been arrested despite dismissal of his anticipatory bail petition by this Court vide order dated 29.07.2024 (Annexure P4). She has apprehension that the police, out of biasness, may file cancellation report in favour of the Sarabjit Singh in the parallel enquiry/investigation which is being conducted illegally by DSP under the orders of DIG.

(3). The apprehension alleged by the petitioner is totally misconceived and premature inasmuch as there is nothing on record to suggest that the police

acted or is carrying out investigation in an illegal and biased manner. Vague assertions cannot form base for this Court to exercise jurisdiction under Section 528 BNSS. In any case, the petitioner is not remediless and it is always open for him to take recourse of law and challenge the action of the respondents as and when the need so arises.

(4). With these observations, this petition is dismissed being premature.

30.04.2025
V.Vishal

(Sandeep Moudgil)
Judge

- 1. *Whether speaking/reasoned?*
- 2. *Whether reportable?*

Yes/No
Yes/No