



CWP-2704-2018 (O&M)

1

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

(282)

CWP-2704-2018 (O&M)

Date of Decision : 27.03.2025

Vinay Kumar Bajaj and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Padamkant Dwivedi, Advocate
for the petitioners.

Mr. Teevar Sharma, AAG, Punjab.

Mr. J.S. Gill, Advocate and
Mr. Parambir Singh, Advocate for respondent No.4.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, cast under Article 226 of the Constitution of India, a prayer is made for issuance of a mandamus, for transferring and to entrust the investigation in case FIR No.02 (Annexure P-2) dated 01.01.2018, under Sections 307, 323, 324, 452, 148 and 149 of the IPC, 1860, registered at Police Station Guru Har Sahai, District Ferozepur, to an independent agency like Central Bureau of Investigation, except the Punjab Police.

2. Learned counsel for the petitioners submits that in the instant case, there was a brutal attack by the henchmen of the son of the then sitting MLA, therefore, the investigation has been conducted in an impartial manner, rather the investigation has not been conducted in such a manner, so that the main culprit can be saved.

3. This Court, vide order dated 12.03.2025, had passed the hereinafter extracted order upon the instant petition :-



“This Court vide order dated 09.01.2025, passed the hereinafter extracted order:-

“1. In deference to the directions issued by this Court on 07.01.2025, Mr. Ranjit Singh Dhillon, IPS, Head of the S.I.T. concerned, has recorded his personal appearance before this Court. He has informed this Court that, further investigation in the present FIR is underway and it will be concluded within two months positively.

2. List on 27.03.2025.

3. On the subsequent date of hearing, a status report with regard to investigation be filed before this Court.

4. The personal appearance of the officer is exempted till further orders.”

The applicants/petitioners have moved the instant applications citing apprehension, that since the previous head of the SIT, has superannuated on 31.01.2025, and now a new SIT which has been constituted, consisting of the same very officer, who was the SSP, Ferozepur on 26.12.2017, at the time when the incident in question took place. Therefore, they have apprehension that now the investigation which was heading in a right direction, may derail.

Though this Court, at this stage, is not making any observations with regard to the apprehension raised by applicants/ petitioners, however, to maintain the faith and transparency of an individual into the investigation process, it directed to the learned State counsel to have apt instructions from the Director, Bureau of Investigation to constitute an SIT of some senior and responsible officer, preferably officer(s) posted outside the District Ferozepur. Adjourned to 27.03.2025, the date already fixed in the main case.”

4. In deference to the directions (supra), passed by this Court, the Director, Bureau of Investigation, vide order dated 20.03.2025, has constituted



SIT of following members :-

1.	Mr. P.K. Sinah, IPS, ADGP/NRI, Punjab, SAS Nagar	Chairman
2.	Mr. Swapan Sharma, IPS, DIG, Ferozepur, Range Ferozepur	Member
3.	Mr. Ajay Raj Singh, PPS, SPD, Taran Tarn (answering deponent)	Member

5. Since the SIT of ADGP has been constituted, therefore, at this stage, this Court is of the considered view that no further direction is required to be passed in the instant *lis*. Consequently, the instant writ petition is **disposed of**, with a mandamus upon the SIT concerned, to conclude the investigation, within a period of four months from the date of receipt of certified copy of this order/judgment, as the FIR, in question, was registered way back on dated 30.12.2018.

6. It is expected that the SIT concerned, as constituted by the Director, Bureau of Investigation, shall file its final report within the above time frame, before the learned Illaqa Magistrate concerned.

7. In case, the petitioners fetch any grievance with regard to the final report, which would be submitted by the SIT concerned, before the learned Illaqa Magistrate, they would be at liberty to approach the learned Magistrate concerned by filing apt motion.

8. Pending applications, if any, stand **disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

March 27, 2025
Manpreet

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