

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

CRM-M-59271-2023(O&M)
Decided on : 16.01.2025

Salwinder Singh

. . . Petitioner

Versus

State of Punjab and others

. . . Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. P.S. Dhaliwal, Advocate the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 482 Cr.P.C., praying for taking action against the private respondents No. 4 to 6, who are accused in FIR No. 126 dated 14.09.2023, under Sections 307, 34 IPC and Sections 25, 27 and 59 of Arms Act, registered at Police Station Jhbal, District Tarn Taran (P-1). Further prayed for protection of life and liberty of the petitioner at the hands of respondents No. 4 to 6.

2. Version of the complainant is that on 13.09.2023, while the petitioner was going to his house, two shots were fired by the private respondents towards him, which hit the petitioner on his lower back as well as shoulder.

3. Learned counsel for the petitioner submits that wife of respondent No.4 is Sarpanch of Village Jhbal and respondent No.5 is son of respondent No.4 and respondent No. 6 is the close friend of respondent No.4. Learned counsel for the petitioner further submits that since the investigation is not being conducted in a fair and proper manner, it has prompted

CRM-M-59271-2023**- 2 -**

petitioner to, file present petition.

Learned counsel for the petitioner also submits that till date neither the private respondents have been arrested; nor they have joined in the investigation.

4. On the other hand, by referring to the status report dated 04.09.2024, Mr. Amandeep Singh, DAG, Punjab submits that the statements of more than 15 persons were recorded during the course of investigation. From the persons of the locality and from pendrive containing CCTV Footage, which was produced by respondents No. 4 and 5, it has been found that the alleged assailants were not present at the spot at the time of incident. He further submits that the investigation done so far indicates that respondents No. 4 to 6 are not the real assailants. However, the final report after confirming all the facts, is likely to be presented before the concerned Court of Area Magistrate very soon .

Learned State counsel further submits that after submission of the report, it would be open for the petitioner to avail the remedy as available to him as per law.

5. Learned counsel appearing on behalf of respondents No. 4 to 6 submits that infact the false case has been registered against the answering respondents. Learned counsel further submits that either the injuries are manipulated or some unknown person has fired at the petitioner. Since the relations of respondents are strained with the petitioner and being an opponent in the village politics, it was obvious for the petitioner to name the private respondents for the alleged injury suffered by him. He also submits that infact false version has been given by the petitioner.

Learned counsel for respondents No. 4 to 6 submits that admittedly a

CRM-M-59271-2023**- 3 -**

complaint was moved by the petitioner prior to the incident, leveling allegation of misusing of Panchayat funds. Thus, this is another reason for purposely naming the respondents.

6. Be that as it may, since the tentative conclusion of the Investigating Agency has been projected before this Court through the status report dated 04.09.2024, and as per the statement of the learned State counsel, the final report is likely to be submitted in near future, the present petition is disposed of by issuing a specific direction to the respondent/State to submit its final report to the concerned Court of Area Magistrate within a period of two months from today.

However,thereupon, it will be open for the parties concerned, who so ever feels aggrieved, to take necessary steps in accordance with law.

(SANJAY VASHISTH)
JUDGE

January 16, 2025*rashmi*

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