



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

**CRM-M-61513-2024 (O&M)
Date of Decision: 17.02.2025**

JARNAIL SINGH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Venu Gopal Jauhar, Advocate
for the petitioner.

Mr. Nitesh Sharma, DAG Punjab and
Mr. Rishabh Singla, AAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Present petition has been filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 seeking constitution of a Special Investigation Team (SIT) comprising of senior officers for conducting free, fair and impartial investigation in FIR No. 36 dated 09.05.2024 (Annexure P-1) for the offence under Section 302 of Indian Penal Code registered at Police Station Sherpur, District Sangrur.

2. Learned counsel for the petitioner submits that petitioner has raised suspicion on the wife of the deceased as she is instrumental in getting her husband killed, due to matrimonial dispute and the Investigating Agency has not conducted the investigation in fair and transparent manner and in a cursory manner, the final report has been filed without obtaining the tower location and call detail records of the accused named by the petitioner. He further refers to the status report filed by the State of Punjab and submits that inquiry which the status report is referring to has not been made part of the final report.

3. Learned State counsel has filed the reply dated 12.02.2025 and the same is taken on record. Learned State counsel opposes the prayer made

by learned counsel for the petitioner and submits that Investigating Agency has carried the investigation in the most fair and impartial manner and the investigation has been carried out by exploring all the possible angles and the tower location and CDR of all the accused, including the wife of the deceased have been obtained and perusal thereof do not indicate any nexus between them and specially wife of the deceased at the time of alleged incident, was found present at Malerkotla.

4. In view of the above, no further directions are required to be issued in the present petition and the same is hereby disposed of accordingly.

5. However, Senior Superintendent of Police, Sangrur is directed to submit the report of inquiry conducted by SP(Investigation) Malerkotla before the learned trial Court and learned trial Court is directed to consider the final report as well as the inquiry report in terms of the judgment rendered by rendered by Hon'ble Supreme Court in ***Vinay Tyagi Vs. Irshad Alia @ Deepak (2013) 5 SCC 762.***

17.02.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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