



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

151

CRM-M-72909-2025 (O&M)

Date of decision: 23.12.2025

Deepak and others

...Petitioner(s)

VERSUS

State of Haryana and others

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ranjeet K. Jaswal, Advocate for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

1. The present petition has been filed for quashing/setting aside of order dated 28.11.2025 passed by the Commissioner of Police, Panchkula, on the ground the same is not in conformity with the direction passed by this Court in CRM-M-63337-2025 vide order dated 12.11.2025.

2. Learned counsel appearing on behalf of the petitioner contends that FIR No. 94 dated 06.08.2025 was registered under Sections 115, 118(1), 190, 191(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Mansa Devi Complex, Panchkula, on the complaint of the petitioner-Deepak. It is submitted that the FIR pertains to a brutal and pre-planned attack carried out by the private respondents/accused, who were armed with deadly weapons including swords and wooden bats. It is further contended that the petitioner and his family members sustained serious and multiple injuries in the said incident, which stand duly corroborated by the medico-legal reports prepared at the Civil Hospital, Panchkula.



3. Learned counsel appearing on behalf of the petitioner further contends that, as per the averments contained in the FIR, more than ten accused persons had jointly launched the attack and, in the course thereof, decamped with the gold ornaments belonging to petitioner No.4, namely Mamta. It is submitted that the private respondents/accused bore a grudge against petitioner No.2, Vivek, on account of an incident dated 14.07.2025, when the said petitioner, along with nearly fifty other boys, had gone to Kedarnath, where the private respondents were left behind. Counsel contends that the said circumstance sowed seeds of animosity against the petitioners. It is further contended that thereafter an exchange of verbal spat took place on social media platforms, which progressively escalated tensions between the parties followed by chain of events leading to the occurrence in question. Learned counsel submits that even after the incident, the grievances raised by the petitioners were not being adequately addressed by the authorities, compelling the petitioner to submit a detailed representation dated 17.09.2025. Since no decision was taken on the said representation, the petitioner was constrained to approach this Court by way of CRM-M-63337-2025. The said petition was disposed of vide order dated 12.11.2025, whereby respondent No.3, the Commissioner of Police, Panchkula, was directed to consider and decide the representation of the petitioner(s) by passing a reasoned and speaking order within the stipulated period. Pursuant to the said directions, the impugned order dated 28.11.2025 has now been passed.

4. Learned counsel for the petitioner contends that the order dated



28.11.2025 does not satisfy the requirement of a reasoned and speaking order, inasmuch as it fails to advert to or address the core grievances raised by the petitioner(s). It is submitted that the directions issued by this Court have thus been reduced to a mere formality, rendering the entire exercise illusory and ineffective. Learned counsel submits that the absence of due consideration and cogent reasons in the impugned order has compelled the petitioner(s) to once again invoke the extraordinary jurisdiction of this Court, seeking quashing and setting aside of the order dated 28.11.2025.

5. I have heard the learned counsel appearing on behalf of the petitioner and have gone through the documents appended with the instant petition.

6. Since the entire case of the petitioner emanates from the order dated 12.11.2025 passed by this Court in CRM-M-63337-2025, whereby a specific direction was issued to the Commissioner of Police, Panchkula to consider and decide the representation of the petitioner(s), it becomes imperative to first advert to and examine the operative part of the said order.

The same reads thus:-

“5. Keeping in view the aforesaid facts, the present petition is hereby disposed of with a direction to the respondent No.3 to decide the representation of the petitioner (Annexure P-7), by passing a speaking order within a period of 15 days from the date of receipt of copy of instant order. It is however clarified that no finding is being returned, by this Court, with regard to merits of the contents of representation. The



respondent No.3 shall be at liberty to make an independent assessment with regard to contents of representation of the petitioners and make an independent decision at his own level.”

7. It is evident that this Court, while disposing of the earlier petition, directed the Commissioner of Police, Panchkula to pass a speaking order in a time bound manner. Respondent No.3-Commissioner of Police, Panchkula, was specifically accorded liberty to undertake an independent and objective assessment of the contents of the representation and to arrive at a decision at his own level. In compliance thereto, the Commissioner of Police, Panchkula called for a detailed report from the Deputy Commissioner of Police, Panchkula and also sought inputs from the concerned field officials, including the status of investigation in the matter. It has been specifically recorded that so far as the investigation of the matter is concerned, the same has already been concluded and the x-ray report of injured/Vivek was also taken into consideration, pursuant to which the offence under Section 117(2) of the Bharatiya Nyaya Sanhita, 2023 was added. It has further been specifically noted that during the course of investigation, no incriminating material surfaced against Rajpal and Montu, and their involvement in the alleged occurrence could not be established. It is also recorded that the final report has been filed against the accused persons namely Nonu, Vikas, Somesh, Gautam and Akash @ Vishal, and the same has already been presented before the Illaqa Magistrate for judicial scrutiny. The matter is presently pending at the stage of framing of charge



and has been fixed for consideration on 07.02.2026. The operative part of the order reads thus:-

“A report was received from the Deputy Commissioner of Police, Panchkula, after obtaining inputs from the concerned officials, which was examined along with the updated status of the FIR. As per the record, accused persons namely Nonu and Vikas were arrested during the investigation and weapons used in the commission of the offence i.e. sword and wooden bat were recovered at their instance. These accused persons were released on bail by the Investigating Officer in compliance with the guidelines laid down by the Hon'ble Supreme Court in Amesh Kumar vs. State of Bihar, after joining them in the investigation. Subsequently, accused Somesh, Gautam and Akash @Vishal were also arrested and the weapons allegedly used by them were taken into police possession. They too were released on bail as per the mandate of the Amesh Kumar directions.

During investigation, upon receipt of the X-Ray report of injured Vivek, a fracture was detected and Section 117(2) BNS was accordingly Invoked. The Investigating Officer thereafter sought medical opinion on 01.10.2025 regarding the injuries of all injured persons and as per the medical opinion, the injuries of Vivek were opined to be grievous and caused by a blunt weapon. No incriminating material surfaced against Rajpal and



Montu, whose involvement in the occurrence was not established during the investigation. The persons namely Rajpal and Montu were found innocent by SHO, Police Station MDC, Panchkula.

After completion of the investigation, the final report was prepared against accused persons Nonu, Vikas, Somesh, Gautam and Akash Vishal and submitted before the learned Illaqa Magistrate for judicial consideration. From the information available on the e-Courts portal, it is observed that the case is presently listed for 07.02.2026 for consideration on the framing of charge, as per the order dated 15.11.2025 passed by the trial court.

With respect to the allegations levelled against SI Jasbir Singh regarding alleged dereliction of duty, an enquiry was conducted by the ACP, Kalka. As per his report dated 09.10.2025, no material or evidence was found to substantiate the allegations against the IO. He recommended filing of the enquiry, which has already been accepted and filed by the authority.

With regard to the request for protection of life and liberty, the report indicates that no specific threat perception has been reported or found at this stage. However, regular patrolling is being conducted in the area by the police. It is also



stated that in the event any threat perception arises-in-future, appropriate legal action shall be taken promptly as per law.

In view of the above facts, the material placed on record, the medical opinion obtained during investigation, the addition of appropriate penal provisions, the submission of the final report before the competent court and the enquiry conducted by the ACP, Kalka regarding the allegations against the Investigating Officer, it appears that the grievances raised by the petitioner in the representation stand addressed. The investigation has finalized in the filing of the final report and the matter is now sub-judice before the trial court for judicial verdict. Accordingly, it appears justified that no further intervention at this stage is warranted on the issues raised in the representation.

However, keeping in view the directions of the Hon'ble High Court and the obligation of the Police Department to ensure the protection of life and liberty of every individual, it is hereby directed that the Station House Officer, Police Station Mansa Devi Complex, Panchkula, shall continue to keep a close watch over the situation. In the event that any information or material suggestive of a threat to the petitioner comes to notice, immediate preventive measures and appropriate legal action shall be taken without any delay to ensure the safety and security of the petitioner and other concerned persons.”



151 CRM-M-72909-2025 (O&M)

8. It is evident from the above that the Commissioner of Police, Panchkula has duly examined the material placed before him and has returned specific findings, including the fact that the investigation stands concluded and that the final report has already been presented before the competent court.

9. Hence, the investigation has already concluded. In the event the petitioner continues to harbour any subsisting grievance, the appropriate and efficacious remedy available in law would be to approach the competent Court, viz. the Illaqa Magistrate, by instituting an appropriate application or petition seeking redressal thereof in accordance with law.

10. This Court would not venture into a microscopic examination of the evidence collected during investigation or prejudge the conclusions arrived at by the Investigating Agency, nor would it issue directions about the manner in which the investigation is to be conducted. Any such exercise would amount to unwarranted interference with, and an impermissible supervision over the investigative domain, which is beyond the scope of judicial review at this stage.

11. The present petition is accordingly **disposed of** warranting no interference and without prejudice to the rights of the petitioner to avail alternative remedies.

(VINOD S. BHARDWAJ)
JUDGE

23.12.2025

Mangal Singh

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