



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

225

CRM-M-50142-2022 (O&M)

Date of Decision:-27.02.2026

INDERPAL SINGH**.....PETITIONER****VS.****STATE OF PUNJAB AND OTHERS****.....RESPONDENTS****CORAM:-HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Mansur Ali, Senior Advocate with
Mr. Tushaar Maddan, Advocate and
Mr. Vaishnav Garg, Advocate for the petitioner(s).

Mr. Jastej Singh, Addl. AG, Punjab.

Mr. Nishant Jindal, Advocate for
Mr. Anil Mehta, Advocate
for respondent Nos.5 and 6.

(THROUGH VIDEO CONFERENCING)

JASJIT SINGH BEDI, J.(ORAL)

1. The prayer in the present petition filed under Section 482 of Cr.P.C. is for transfer of the investigation of FIR No.220 dated 11.06.2021 registered under Sections 420 and 406 of IPC, 1860, at Police Station City Kharar, SAS Nagar to any independent agency, Director General Bureau of Investigation or any other senior police officer other than from District SAS Nagar.

2. The learned counsel for the petitioner-complainant contends that as the petitioner was of the view that the respondents had not conducted the investigation in a fair manner and were likely to submit a cancellation report, he had approached this Court by way of the instant

petition. On 15.05.2023, the presentation of the report under Section 173 Cr.P.C. was stayed. The matter was adjourned from time to time. On 23.11.2023, this Court ordered that the interim order issued on 15.05.2023 would remain in force. On 21.12.2023, once again, the interim order was ordered to continue till the next date of hearing. Meanwhile, on 22.08.2024, this Court formed a *prima facie* view that the investigation of the FIR ought to be conducted by an SIT comprising of senior-ranking functionaries. On 05.05.2025, the State counsel sought time to apprise the Court about the status of the report under Section 173 Cr.P.C. Now, an inculpatory report has been presented against the accused persons, because of which he wishes to withdraw the instant petition, his claim having been satisfied.

3. The learned counsel for the private respondents, who are the accused against whom the report has been submitted, contends that the challan has been submitted despite the stay order of this Court. Therefore, the challan has no legal sanctity and a contempt petition has also been filed.

4. The learned State counsel, on the other hand, contends that the instant petition had been preferred by the complainant-petitioner and the filing of the challan had been stayed because, at that stage, it was argued that the investigating agency was likely to file a cancellation report. It was later that the SIT concluded that an inculpatory report is to be submitted which in fact was submitted. The private respondents, who have now become accused, cannot raise arguments to the effect that the challan ought not to have been submitted once they themselves have not preferred the instant petition and therefore, the petitioner can withdraw the instant petition.

5. I have heard the counsel for the parties.
6. Without going into the issue regarding the legal sanctity of the challan, at this stage, the present petition is disposed of with the directions to the DIG, Ropar Range, to personally examine the report of the SIT, all other reports, if any and only then proceed to file a final report.
7. It is also clarified that the Trial Court shall proceed further only on the basis of the final report of the DIG, Ropar Range and not on the basis of any earlier report.
8. All the pending miscellaneous applications, if any, stand disposed of.

27.02.2026

Kusum

(JASJIT SINGH BEDI)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>