



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

CWP-11576-2025

Date of Decision : **28.04.2025**

ISHWAR CHAND

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Vivek Goyal, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon the respondents to re-investigation in the FIR bearing No.1359, dated 11.12.2019, registered under Sections 420, 468 ad 471 of the IPC, at Police Station Thanesar City, District Kurukshetra.

2. The main grievance which propelled the present petitioner to approach this Court, is that the petitioner who is the complainant in the instant FIR, was never joined during the investigation by the Special Investigating Team (SIT) concerned, rather an incomplete final report has been filed, on account of contempt petition pending before this Court.

3. This Court has put a specific query learned counsel for the petitioner, as to whether, he approached the learned *Illqa* Magistrate/trial court concerned before whom the final report has filed by

the SIT, to raise all such pleas, as have been raised before this Court, to which he answered in 'negative'.

4. In view of the above, this Court of the considered view that the petitioner have an efficacious statutory remedy before the learned *Illaq*a Magistrate/trial Court concerned, seeking further investigation in the FIR (*supra*), under the apt provisions of law, as the latter concerned, is bestowed with the power to issue such direction, in accordance with law.

5. Consequently, the present petitioner is relegated to the learned *Illaq*a Magistrate/trial Court concerned, for redressal of his grievance.

6. **Disposed of** accordingly.

April 28, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

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