

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

**CRM-M No.10275 of 2025 (O&M)
Date of Decision: 24.02.2025**

Jaswant Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Ashu Rana, Advocate for
Mr. Mitul Singh Rana, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab for the respondents.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 for directing respondent No.3-Senior
Superintendent of Police, District Gurdaspur to take appropriate action against
accused persons, who have not been arrested till date in GD No.26 dated
02.01.2025, Police Station Dinanagar, District Gurdaspur arising out of FIR
No.180 dated 09.12.2024, under Sections 125, 118(1), 115(2), 191 (3), 190, 351
of the Bharatiya Nyaya Sanhita, 2023; Sections 25 & 27 of the Arms Act, 1959,
registered at Police Station Dinanagar, District Gurdaspur.

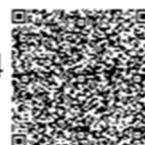


(2) Brief facts are that petitioner had taken a Shop on rent from one Baljinder Singh @ ₹ 15,000/- per month; but before expiry of Rent Agreement, opposite party forcibly dispossessed the petitioner and a Civil Suit filed by the petitioner in this regard is pending. On 08.12.2024, petitioner along with his son- Manpreet Singh @ Mann went to the Shop and saw that Baljinder Singh, along with other co-accused, armed with their respective weapons, were present there. They gave beatings to the petitioner as well as his son and also snatched the licensed revolver of the petitioner. On 23.01.2025, petitioner moved representation (P-1) to the Senior Superintendent of Police, Gurdaspur; but no action has been taken till date; hence, present petition.

(3) It is settled law that the Courts should be slow in interfering at a pre-mature stage of investigation as it may derail the same (vide “**Director, Central Bureau of Investigation and others Versus Niyamavedi**”, (1995) 3 SCC 601, para 4).

(4) It transpires that above FIR was registered on 09.12.2024 and investigation is going on; thus, at this stage, this Court is not inclined to interfere with the ongoing investigation. Moreover, investigation cannot be carried out in a manner as *de facto* complainant desires; rather it would be for the Investigating Officer to follow the course, unless there is some substance in the allegations of personal bias against the officer concerned.

(5) In view of the above facts and circumstances, discussed hereinabove, and considering the ratio of law laid down by Hon’ble the Supreme



Court in **Niyamavedi's** case (*supra*), this Court is not inclined to entertain the petition "at this stage".

(6) Consequently, there is no option except to dispose off the petition with the observation that ongoing investigation be completed in accordance with law, expeditiously, if there is no legal impediment.

(7) So ordered.

(8) Needless to say that this order be not construed as an expression of opinion on the merits of the allegations levelled in the FIR No.180 dated 09.12.2024 (*supra*); nor same shall debar the petitioner from pursuing any other remedy as per law.

Pending application(s), if any, shall also stand disposed off.

24th February, 2025

Gagan

(MAHABIR SINGH SINDHU)

JUDGE

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