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

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**CRM-M No.5686-2025 (O&M)
Date of Decision: 31.01.2025**

Harjinder SinghPetitioner

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Ramandeep Kaur, Advocate for
Mr. Monty Goyal, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for issuance of direction to respondents No.2 to 4 to arrest the respondents No. 5 to 7 and conclude investigation in FIR No. 181 dated 22.12.2023 registered under Sections 420 and 120-B of Indian Penal Code, 1860 (for short, 'IPC'), at Police Station Sadar Raikot, Police District Ludhiana Rural, District Ludhiana.

2. Contends that present FIR was registered against the respondents No.5 to 7 on the allegations of cheating. Further contends that private respondents while using their political links started to pressurize the Police officials not to further investigate the case as well as threatened the present petitioner with dire consequences. Again contends that Police officials, in collusion with private respondents are trying to delay filing of report under Section 173 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'). Lastly contends that private respondents are pressurizing the petitioner to withdraw the FIR and to compromise in the matter.



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3. At the outset, learned State counsel, on instructions, has apprised the Court that investigation is still going on and notices under Section 41-A of Cr.P.C have already been issued to the accused persons.

4. Heard learned counsel for the parties and perused the paper-book.

5. It transpires that investigation in FIR No.181 dated 22.12.2023 is still going on and notice(s) have already been issued under Section 41A of Cr.P.C to the accused persons.

6. In *S.N.Sharma versus Bipen Kumar Tiwari (1970) 1 SCC 653*, it was held by Hon'ble the Apex Court as under:

“Unless an extraordinary case of gross abuse of power is made out by those in charge of the investigation, the Court should be quiet loathe to interfere with the investigation, a field of activity reserved for the police and the executive. Thus, in case of a mala fide exercise of power by a police officer the Court may interfere.”

In the present case, the investigation cannot be said to be biased or *mala fide*; thus, no ground is made out to interfere with the ongoing investigation.

7. In view of the above, there is no option, except to dismiss the petition.

8. Ordered accordingly.

9. Above observations be not construed as an expression of opinion on merits of the FIR, in any manner.

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

31.01.2025

Rajeev (rvs)/SN

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No