

2025:PHHC:067570



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

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**CRM-M-21992-2025
Decided on:12.05.2025**

Naveen Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram : Hon'ble Mr. Justice Rajesh Bhardwaj

Present: Mr. Deepak Vashishth, Advocate,
for the petitioner.

Rajesh Bhardwaj, J.

1. Prayer in the present petition, filed under Section 482 of the BNSS, 2023 is for issuance of directions to the official respondents to conduct fair investigation and inquiry in FIR No.144 dated 27.05.2022, registered under Sections 506 IPC and Sections 3(1)(C) of the SC & ST Act, at Police Station Civil Lines, Jind, District Jind. Prayer has also been made to constitute the Special Investigation Team to conduct investigation in the said FIR.

2. Learned counsel for the petitioner has contended that the petitioner had filed a complaint on 04.05.2022 before the Chairman, National Commission of Scheduled Caste and Scheduled Tribe at Delhi, on the basis of which FIR in question had been registered. After completion of investigation, the challan was submitted on 05.08.2022, however, the learned trial Court, vide its order dated 28.10.2024, observed that the investigation has not been conducted as per contents of the complaint and hence, while invoking its jurisdiction under Section 173(8) of the Cr.P.C., directed the investigating agency to further investigate the matter. He submits that thereafter, the fresh challan was submitted on 21.01.2025. It is submitted that even after further

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investigation, the investigating agency did not investigate the case as per the allegations made in the complaint/FIR. He, thus, submitted that there were specific allegations made by the petitioner regarding conduct of the accused but the same has not been investigated into. He submitted that the investigating agency is hand in glove with the accused and, thus, did not investigate the FIR in a fair manner. He, thus, prayed for constitution of a Special Investigating Team for thorough investigation of the matter.

3. Notice of motion to the official respondent only at this stage.
4. On asking of the Court, Mr. Sumit Jain, Addl. A.G., Haryana, has accepted notice and opposed the submissions made by the learned counsel for the petitioner. He has submitted that after carrying out further investigation in accordance with law, as ordered by the learned trial Court, the supplementary challan has also been filed and the case is pending before the learned trial Court for consideration.
5. After hearing learned counsel for the parties and perusing the available record, it is deciphered that the petitioner is a public servant who has got the FIR lodged against his colleagues. The allegations made in the FIR were regarding harassment of the petitioner by his colleagues wherein the caste related remarks had allegedly been uttered against him. The learned trial Court had directed the investigating agency to further investigate the matter and file the supplementary challan and the same has been filed. Thus, it is clear that the trial Court has already taken cognizance of the case and once the supplementary challan has been filed, the case is within the domain of the trial Court.

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6. Thus, in view of the totality of the facts and circumstances, the present petition is hereby disposed of with liberty to the petitioner to raise all his grievances before the trial Court and avail the remedies as available to him in accordance with law.

May 12, 2025
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(Rajesh Bhardwaj)
Judge

Whether Speaking/Reasoned: NO/YES
Whether Reportable: NO/YES