

206 CRM-M-27420-2023 (O&M)

RAKESH KUMAR VS STATE OF PUNJAB AND ANR

Present: Mr. Liaqat Ali, Advocate, for the petitioner

Mr. Karunesh Kaushal, AAG, Punjab

Ms Gurneet Sagoo, Legal Aid Counsel, for
respondent no. 2

On 30.5.2023, the following order was passed:-

“Learned counsel for the petitioner contends that none of the ingredients, as has been envisaged in the Statute for making out an offence under Sections 3(1)(X) and 3(1) (r) of SC/ST Act are made out in GD No.41 dated 23.08.2022, registered at Police Station Phillaur, District Jalandhar.

Notice of motion for 16.08.2023.

Further proceedings before the Court below shall remain stayed till the next date of hearing.”

Today, learned State counsel has filed the status report by way of affidavit duly sworn by Deputy Superintendent of Police, Sub Division Phillaur, District Jalandhar (Rural), wherein it is informed that the investigation is yet to be completed, whereas, this Court vide order (supra), had stayed the further proceedings before the learned trial court, which is causing impediment in completion of the investigation, though the order (supra) never stayed the investigation.

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In view of the aforesaid, it is made clear that the investigation in the present case shall go on and in case final report is filed before the learned Special Court concerned, the Special Court shall not frame the charges till the next date of hearing.

Learned counsel for the petitioner undertakes to supply copy of the petition to the learned Legal Aid Counsel appearing for respondent no. 2, during the course of the day.

Adjourned to 15.2.2024.

December 07, 2023

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**(KULDEEP TIWARI)
JUDGE**