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SLP(Crl.)No. 4326 OF 2000  
ITEM No.36

Court No. 4

SECTION IIA  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 4326/2000

(From the judgement and order dated 06/02/1997 in CRLA 110/93  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF HARYANA

Petitioner (s)

VERSUS

FAUJA SINGH & ORS.

Respondent (s)

( With Appln(s). for c/delay in filing SLP and exemption from filing  
c/c of the impugned Judgment )  
( With Office Report )

Date : 13/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK  
HON'BLE MRS. JUSTICE RUMA PAL

For Petitioner (s)

Mr. Mahabir Singh,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

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Delay condoned.

Name of R-3 be deleted as prayed for by Mr. Mahabir  
Singh for the State.

Heard Mr. Mahabir Singh appearing for the State of  
Haryana.

The State is aggrieved by the general direction to the  
Director General of Police to ensure that investigation must  
be conducted by officers not below the rank of Inspector.  
According to Mr. Mahabir Singh this direction will create  
several administrative difficulties and may not be capable of

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being implemented fully in all cases. The High Court has  
issued the aforesaid direction being of the opinion that when  
investigation is carried on by officers of lower rank who are  
usually promoted from the post of Constable, then the  
investigation is not done in proper perspective. It is only  
to prevent an acquittal for improper investigation, the Court  
has issued the aforesaid direction. But having heard Mr.  
Singh for the State of Haryana and having examined the

impugned observation/direction of the High Court, we modify the same to the effect that the Director General of Police, Punjab and Haryana and Inspector General of Police, Union Territory of Chandigarh should ensure that the investigation is conducted by a competent officer who would be conversant with the provisions of the Criminal Procedure Code as well as the other matters relating to investigation and it would be appropriate, if officers of the rank of Inspectors are available, the investigation should be conducted by Inspectors. The Director General may issue an appropriate Office Memorandum to all the investigating officers in different police stations incorporating the observations aforesaid.

The S.L.P. accordingly stands disposed of accordingly.

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(J.S. Rawat)  
Court Master

(D.D.Jindal)  
Asstt. Registrar