

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-12108-2015

Date of decision: 22.04.2015

Ranbir Singh @ Kaka

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. RS Rana, Advocate for the petitioner.

R.P. NAGRATH, J. (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed by the petitioner for issuance a direction to respondents No. 1 and 3 for transfer of investigation in FIR No. 194 dated 14.11.2014 (Annexure P-1) registered under Sections 399/402 of the Indian Penal Code (IPC) and Section 25 of the Arms Act at Police Station Sadar, Khanna, Police District Khanna, to respondent No. 2-Central Bureau of Investigation or any other independent investigating agency as respondents No. 6 and 7 in connivance with each other by using police power registered a false case against the petitioner.

Learned counsel for the petitioner *inter alia* contends that petitioner is already on regular bail in the instant FIR Annexure P-1, after he was arrested in the same. It is further submitted that petitioner is a witness in FIR No. 243 dated 11.11.2013, under Sections 452/323/324/

506/427/148/149 IPC, Police Station City Khanna, District Ludhaina, registered against respondent No. 7-Rajinder Singh @ Jeet and in that FIR investigation is still going on for more than about 1½ years and challan has not been presented so far.

Notice of motion to respondents No. 1 and 5 only, at this stage.

On the asking of Court, Mr. Gazi Mohd., DAG, Punjab accepts notice on behalf of respondents No. 1 and 5.

Let requisite number of copies of paper-book be supplied to learned State counsel during the course of day.

In view of the nature of order that is proposed to be passed, no reply is required to be filed by the respondents. The petitioner had already filed a representation dated 19.11.2014 (Annexure P-3) before respondent No. 5-Senior Superintendent of Police, Khanna along with other senior police officers in this regard.

The instant petition is disposed of with a direction to respondent No. 5-Senior Superintendent of Police, Khanna to look into the allegations contained in representation dated 19.11.2014 (Annexure P-3) and also the threat perception to the life and liberty of the petitioner and take appropriate steps, if required, in accordance with law. The investigation of the FIR will, however, proceed in accordance with law.

April 22, 2015
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(R.P. NAGRATH)
JUDGE