

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-2661 of 2015

.....

Date of decision:4.2.2015

Suresh Kumar Soni

...Petitioner

v.

State of Haryana and others

...Respondents

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

.....

Present: Mr. Rajnish Gupta, Advocate for the petitioner.

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**Inderjit Singh, J.**

The petitioner has filed this petition under Section 482 Cr.P.C. seeking indulgence of this Hon'ble Court for issuance of directions to respondents No.2 and 3 to complete the investigation in case FIR No.138 dated 19.3.2014 registered for the offences under Sections 406, 420, 500, 504 and 120-B IPC at Police Station Sector 5, Panchkula against private respondents No.4 to 8 and to make their arrest and detention in view of the settled law rendered by the Hon'ble Supreme Court in Lalita Kumari's case, with a further prayer for issuance of directions to respondent No.2 to hand over the investigation of the case to the officials of higher rank i.e. not below the rank of DSP in the aforesaid matter as accused No.5 is a retired Police Officer and is thwarting and creating hurdle in the investigation and also evading his arrest and detention and of

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other accused, in the interest of justice.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, it is clear that the FIR has already been registered on 19.3.2014 for the offences under Sections 406, 420, 500, 504 and 120-B IPC at Police Station Sector 5, Panchkula. It is settled law that the Court cannot interfere in the investigation and also cannot direct the Investigating Officer to do the investigation in a specific way. This Court, therefore, cannot ask the Investigating Officer to make arrest and detention of private respondents No.4 to 8. It is for the Investigating Officer to collect the evidence and to do the investigation independently. As the case is mainly regarding the dispute of personal nature and in view of the contents of the FIR, I find no ground to get the investigation of this case done by the official of higher rank. Further more, since the investigation is going on after the registration of the FIR on 19.3.2014, therefore, the Investigating Officer is directed to expedite the completion of the investigation one way or the other.

With these observations, the present criminal miscellaneous petition stands disposed of.

February 4, 2015.

**(Inderjit Singh)**  
**Judge**

\*hsp\*