

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-32704 of 2015

.....

Date of decision:24.9.2015

Randhir Singh

...Petitioner

v.

State of Haryana and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Ms. Kanika Sachdeva, Advocate for the petitioner.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. seeking issuance of necessary directions to the official respondents to hand over the investigation of the case FIR No.818 dated 24.10.2014 registered for the offences under Sections 323, 342, 392, 452, 499, 500, 506 and 148 IPC at Police Station City Jind, District Jind to some independent agency like CBI, in view of the peculiar facts and circumstances of the present case.

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

From the record, I find that the present petitioner filed a criminal complaint for the offences under Sections 323, 342, 392, 452, 499, 500, 506 and 148 IPC against Jai Pal, ASI and others and the learned Judicial Magistrate Ist Class, Jind, vide order dated 12.9.2014 sent this

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complaint to SHO, Police Station City, under section 156(3) Cr.P.C. for registration of the case and investigation as per law.

A perusal of the record shows that the complaint filed by the present petitioner has already been sent to the SHO for registration of the FIR and the FIR has already been registered. A perusal of the record nowhere shows the gravity of the offences or the fact that it was not a serious case which should be investigated from the CBI. If the petitioner has any grievance regarding unfair investigation, then as per law laid by the Hon'ble Supreme Court in Sakiri Vasu v. State of U.P. and others, 2008 (1) R.C.R. (Cr.) 392, he has remedy to apply before the Illaqa Magistrate, who has ample powers to supervise and even monitor the investigation.

Keeping in view the above facts and circumstances, I find that no ground is made out for handing over the investigation to CBI. Hence, finding no merit in this petition, the same is dismissed.

September 24, 2015.

(Inderjit Singh)
Judge

hsp