

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-10623 of 2016

.....

Date of decision:29.3.2016

Sangeeta Rani

...Petitioner

v.

State of Haryana and others

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Shashi Kant Gupta, Advocate for the petitioner.

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Inderjit Singh, J.

This criminal miscellaneous petition has been filed by petitioner under Section 482 Cr.P.C. for issuance of appropriate directions to respondents No.1 and 2 to transfer the investigation of the case FIR No.19 (Annexure-P.1) dated 15.1.2016 registered for the offences under Sections 323, 347, 506 and 34 IPC at Police Station Pinjore, District Panchkula to some other independent investigating agency or senior Police Officer of the rank of Deputy Commissioner of Police of some other district other than Panchkula, as the petitioner is not expecting and confident fair and impartial investigation at the hands of the Panchkula Police, because after the lodging of the said FIR, the Pinjore Police has done no progress under political pressure despite repeated threats to the petitioner and her family members.

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

At the time of arguments, no cogent ground has been mentioned for transfer of the investigation to any other independent investigating agency. The offences in the FIR are only under Sections 323, 347, 506 and 34 IPC, which has been registered on 15.1.2016. It is for the Investigating Officer to find out during investigation whether there is any necessity to arrest any of the accused or not. The main offences under Sections 323 and 347 IPC are bailable. Nothing has been shown as to how there is political pressure upon the Police etc. for such type of minor offences. There is no need to get the investigation done from senior Police Officer or from an independent investigating agency. If the petitioner is aggrieved that the investigation is not being conducted impartially or fairly, then he has the remedy to approach the Illaqa Magistrate as the Illaqa Magistrate has ample powers to supervise the investigation and even to monitor the investigation as held by the Hon'ble Supreme Court in Sakiri Vasu v. State of U.P. and others, 2008 (1) RCR (Cr.) 392 (SC).

Therefore, from the above, I find no merit in this petition and the same is dismissed.

March 29, 2016.

(Inderjit Singh)
Judge

hsp