

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No.M-26419 of 2016 (O&M)

Date of Decision: August 04, 2016

Kuldeep Singh

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.I.S.Pabla, Advocate
for the petitioner.

INDERJIT SINGH, J.

The petitioner has filed this petition under Section 482 Cr.P.C. for handing over the investigation of case FIR No.160 dated 21.03.2016 under Sections 398, 401 IPC and Section 25 of the Arms Act, registered at Police Station Palam Vihar, District Gurgaon, to Central Bureau of Investigation (CBI) or any independent agency etc.

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

As per prosecution version, FIR was registered on the basis of secret information and raid was conducted. The present petitioner along with other accused was apprehended on the spot on 21.03.2016.

Learned counsel for the petitioner argued that petitioner has been falsely implicated in this case. He has already been apprehended by

the police at another place. Learned counsel for the petitioner also relied

upon some photographs etc. showing the vehicle going on toll road etc.

From the arguments of learned counsel for the petitioner, I do not find any ground to hand over the investigation to CBI. On the basis of secret information, raid was conducted. The present petitioner along with other accused has been apprehended. To prove defence version of the petitioner, the investigation cannot be handed over to the CBI. Otherwise also, the gravity of the offense is not of such a nature in view of the facts that the matter be handed over to CBI. The petitioner is at liberty to prove his defence by leading cogent evidence before trial Court and in case he succeeds in proving his defence, he would have the remedy to take action as per law.

In view of the above discussion, I do not find any ground to transfer the investigation of the present case.

Therefore, finding no merit in the present petition, the same is dismissed.

August 04, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No