

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

CRM No.M-28803 of 2015 (O&M)

Date of Decision: May 26, 2016

Paramvir Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Harpreet S. Multani, Advocate
for the petitioner.

Mr.P.S.Grewal, Deputy Advocate General, Punjab
for respondents No.1 to 3-State.

Mr.Dinesh Sharma, Advocate
for respondent No.4.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. against State of Punjab and other respondents for transfer of investigation in FIR No.10 dated 13.01.2014 under Sections 323, 325, 308, 452, 506, 148, 149 IPC and Sections 25 and 27 of the Arms Act registered at Police Station Ladowal, District Ludhiana to a senior officer outside the District Ludhiana as the accused persons in the case are very close to a local leader, who belongs to ruling party etc.

Notice of motion was issued and learned State counsel as well as learned counsel for respondent No.4 appeared and contested the petition.

At the time of arguments, learned counsel for the petitioner did

not press the relief regarding transfer of investigation of this case. He only argued that some of the accused have not been challaned and no proclamation proceedings have been initiated.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

It is admitted that challan has already been presented in this case. Non-bailable warrants as per the police file, have already been issued by the Court for the arrest of the remaining accused. In the report under Section 173 Cr.P.C. also, it is mentioned that other accused are absconding and could not be arrested. The proclamation proceedings etc. are to be conducted by the Court when the Court will satisfy that the accused are absconding and now the non-bailable warrants have already been issued by the trial Court for their arrest.

Keeping in view the facts and circumstances of the present case, I find that no further action is required in this petition as the trial Court is also seized of the matter and investigation qua some of the accused is already complete and challan has already been presented and qua remaining accused, proceedings for their arrest have already been initiated.

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

May 26, 2016
Vgulati

(INDERJIT SINGH)
JUDGE