

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

(111)

CRM-M-30157-2016

Decided on: August 31, 2016.

Raj Bansal and another

.... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Vaneet Soni, Advocate, for the petitioners.

M.M.S. BEDI, J (ORAL)

This is a petition filed by the complainants for transfer of the investigation to Special Investigation Team or an independent agency like CBI claiming that the matter is not being investigated fairly and that the investigation is not impartial.

On asking of the Court as to the patent irregularities indicative of any mala fide on the part of the investigating agency, learned counsel for the petitioners has referred to Annexure P-7, representation submitted to DSP Crime Branch, Chandigarh for fair investigation of the FIR.

I have gone through Annexure P-7 and I am of the opinion that any material irregularity or violation of any rules or Statute during course of investigation, is not reflected in Annexure P-7.

This petition is disposed of as pre-mature at this stage with liberty to the petitioners to approach the investigating agency or senior police authorities by specifically mentioning the irregularities i.e. (i) any statutory violation of Police Rules or provisions of Chapter XII of Code of Criminal Procedure; (ii) any irregularity regarding avoiding material

evidence produced before the investigating agency or the same having been ignored by the investigating agency; (iii) any statement voluntarily offered by any witness, aware of the facts of the case, having not been taken into consideration by the investigating officer; and (iv) any other material facts having been ignored by the investigating agency.

In case any such representation is filed, it is expected that the same would be looked into by the competent supervisory authority or any other senior supervisory authority, within a reasonable time.

(M.M.S. BEDI)
JUDGE

August 31, 2016
harsha

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No