

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3503 of 2016
DECIDED ON: September 05, 2016

RAMANDEEP SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioner.

Mr. A.S. Sidhu, AAG, Punjab.

Mr. Satish Saini-respondent No.2 in person.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred under Section 407 of the Code of Criminal Procedure for transfer of criminal complaint No.89-2015, dated 16.05.2015, titled “*Satish Saini vs. Ramandeep Singh*” on the basis of which proceedings of FIR No. 49, dated 19.05.2015, under Sections 452, 341, 323, 324, 325 and 326 IPC, Police Station Phase 11, SAS Nagar, Mohali are pending before the Court of Shri SM Garg, Chief Judicial Magistrate, SAS Nagar be withdrawn and entrusted to court of competent jurisdiction at Chandigarh or Panchkula.

2. It has been pointed out by respondent No.2-Satish Saini that at present no trial or proceedings pertaining to FIR No.49, dated 19.05.2015, under

Sections 452, 341, 323, 324, 325 and 326 IPC, Police Station Phase 11, SAS Nagar, Mohali is pending before any Court including the Court of Shri S.M. Garg, Chief Judicial Magistrate, SAS Nagar, Mohali.

2. Learned State counsel, on instructions, from ASI Narinder Sood, Police Station Phase 11, Mohali has also submitted that the aforesaid FIR was registered on the basis of complaint no. 89-2015, dated 16.5.2015, captioned as “*Satish Saini vs. Ramandeep Singh*” as per the direction given by the Chief Judicial Magistrate, SAS Nagar, Mohali under Section 156 (3) of the Code of Criminal Procedure. The matter is still under investigation and no report under Section 173 (2) Cr.P.C. has been presented so far.

3. In view of the above referred facts, it can be safely concluded that the complaint, which was filed by respondent No.2-Satish Saini has culminated into FIR No. 49, dated 19.05.2015 referred to above, the investigation of which is still in progress.

4. Thus, in the given circumstances, instant petition for transfer of proceedings of the complaint does not arise at all. Accordingly, instant petition stands dismissed.

September 05, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**