

CRM-M-39662 of 2015

[1]

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

Sr. No. 232

CRM-M-39662 of 2015

Date of decision: April 28, 2016

Anil Kumar

.... Petitioner

Versus

State of Haryana & others

.... Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ramesh Hooda, Advocate,
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana,
for respondents No.1 to 3.

JASPAL SINGH, J

This is a petition preferred by Anil Kumar (now confined in District Jail, Jhajjar), under Section 482 of the Code of Criminal Procedure, seeking issuance of directions to respondents No. 2 & 3 to hand over the investigation of FIR No. 461, dated November 29, 2014, under Sections 409, 420 and 34 of IPC, registered at Police Station City Bahadurgarh, District Jhajjar to some higher officials above the rank of Deputy Superintendent of Police.

In response to notice of motion, reply has been filed by official respondents by way of affidavit of Hansraj, HPS, Deputy

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Superintendent of Police (Head Quarter), Jhajjar who is at present seized of the investigation.

A perusal of the reply transpires that after the commission of offence under Sections 467, 468 and 471 IPC as well as offence under Section 13(1) of Prevention of Corruption Act, the investigation of this case has been transferred to Deputy Superintendent of Police, Bahadurgarh, who is a Gagnetted Officer.

The reply further reveals that the investigating agency has already sought the sanction to launch prosecution against the accused and after the receipt of the necessary sanction as well as that of forensic science report, the report shall be presented in the competent Court of jurisdiction.

In view of the contents of above said reply, instant petition has rendered infructuous and the same is dismissed. However, the petitioner shall be at liberty to have recourse to other remedies available to him under law.

April 28, 2016

Ankur

**(JASPAL SINGH)
JUDGE**