

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

(114)

**CRM-M-6482-2016 (O&M)
Decided on: March 18, 2016.**

Shamsher Singh

.... Petitioner

Versus

State of Haryana and others

..... Respondents

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

Present: Mr. Sanjiv Gupta, Advocate, for the petitioner.

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

Miscellaneous application CRM-8905-2016 is allowed.

Annexures P-5 and P-6 are permitted to be taken on record.

Petitioner, apprehending unfair investigation against the private respondents, through instant petition, seeks transfer of the investigation in FIR No.381 dated 04.12.2015, under Sections 420, 467, 468, 471, 120-B IPC and Sections 4/5 of the Prize Chit and Money circulation Scheme (Banning) Act, 1978 registered at Police Station Sadar Sirsa to some independent agency like Crime Branch.

The petitioner is a complainant. He has got apprehension of not getting justice on account of investigation leaving in favour of the named accused. The petitioner has already filed a representation to Superintendent of Police, Sirsa vide Annexure P-4 expressing his grievance.

No opinion can be formed at this stage regarding any lacuna in the investigation being alleged to have been intentionally left to help any person named in the FIR.

The Superintendent of Police, Sirsa being the supervisory authority of the police District is competent to look into the grievance of the petitioner to ensure fair investigation.

Notice to Advocate General, Haryana.

On asking of the Court, Mr. C.S. Bakshi, Addl. A.G., Haryana, present in the Court, accepts notice. Copy given.

This petition is disposed of as not maintainable at this stage. However, a direction is issued to Superintendent of Police, Sirsa to look into the representation dated 27.01.2016 of the petitioner, copy of which has been appended with the petition as Annexure P-4 expeditiously preferably within a period of two months and ensure that the allegations against the persons named in the complaint are fairly looked into by ensuring the protection of rights of both the parties i.e neither any false implication should be perpetuated to harm any innocent nor at the same time casual approach should be adopted for appropriate action against the person who has actually committed the crime.

(M.M.S. BEDI)
JUDGE

March 18, 2016
harsha