

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

**CRM No.M-9819 of 2016 (O&M)
Date of Decision: December 05, 2016**

Gurlal Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Tarun Singla, Advote
for the petitioner.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

None for respondents No.5 to 8.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. against State of Punjab and other respondents, for transferring the investigation of case FIR No.5 dated 18.01.2016 under Sections 307, 364, 323, 148, 149 and 302 IPC registered at Police Station Maur, District Bathinda to Central Bureau of Investigation or to Crime Branch, Punjab, as the police of Police Station Maur have connived with accused i.e. respondents No.6 to 9 and have failed to discharge its primary duties in investigating the case in a fair, transparent and impartial manner etc.

Notice of motion was issued and learned State counsel appeared and contested the petition. None has appeared on behalf of

respondents No.5 to 8 despite service.

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

Today, learned State counsel has brought to the notice of this Court that in the present case, challan has already been presented before the trial Court and charges have already been framed and the case is now fixed for prosecution evidence.

Learned counsel for the petitioner has stated that all the accused have not been challaned by the police. As the investigation is already complete and trial Court has taken the cognizance and the trial is going on in this case, therefore, this petition for transferring the investigation to Crime Branch has become infructuous. The petitioner has liberty to apply for further investigation before the lower Court and has also liberty to file application under Section 319 Cr.P.C.

Therefore, as the investigation is complete, the present petition is dismissed as having been rendered infructuous.

December 05, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No