

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

CRM No. M-19458 of 2017 (O&M)

Date of Decision: 26.05.2017

Sukhwinder Kumar

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Parvinder Singh Ahluwalia, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking the constitution of a Special Investigation Team (SIT) to investigate FIR No.13, dated 18.02.2017, under Sections 22/61/85 of the NDPS Act, registered at Police Station Sadar Rajpura, District Patiala. Further prayer is for transfer of investigation to CBI/respondent No.2.

Counsel for the petitioner has been heard at length.

Briefly, it may be noticed that FIR came to be registered on the allegations that on 18.02.2017, present petitioner was nabbed while he was travelling in a bus and an alleged recovery of 50 strips of lomotil tablets (each strip containing 60 tablets) and Rs.2.75 lakhs Indian currency was recovered.

The prayer made in the instant petition for constitution of a Special Investigation Team (SIT) or for transfer of investigation is not supported by any specific averment/material placed on record. The plea of false implication has to be substantiated in terms of certain cogent and relevant material.

Even though, during the course of arguments, counsel would make an attempt to contend that the Investigating Officer of the case is playing a partisan role, yet the concerned police official has not even been impleaded as a party respondent to answer such allegation.

In the light of the pleadings on record, the prayer made in the instant petition cannot be entertained.

Petition is dismissed.

26.05.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |