

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

CRM No.M-23912 of 2017 (O&M)

Date of Decision: July 12, 2017

Sohit Kumar and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sandeep Gahlawat, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 482 Cr.P.C. for issuance of direction to respondent No.2 to transfer the investigation of case bearing FIR No.96 dated 03.05.2017 under Sections 147, 149, 323, 325 and 506 IPC registered at Police Station Sadar Ambala City, District Ambala, from respondent No.4 and to handover the same to some other superior officer, not below the rank of Dy.S.P. with a further direction to him to get conducted the investigation of above-said FIR in fair, impartial and proper manner in accordance with law.

I have heard learned counsel for the petitioners and have gone through the record.

From the record, I find that FIR No.96 in the present case has been registered under Sections 147, 149, 323, 325 and 506 IPC on

Learned counsel for the petitioners requested that some senior officer, not below the rank of Dy.S.P. should be appointed to investigate the FIR or the investigation be transferred to some senior officer.

The accused are named in the FIR. The material evidence which the Investigating Officer is to collect in this case in support of prosecution version, is to record the statements of injured complainant and eye witnesses and to collect medical record. The remaining investigation is only regarding arrest of the accused and site plan etc. No ground is made out for transferring the investigation of this case to senior police officer. If the petitioners are aggrieved that the investigation is not being conducted fairly and impartially etc., then they can avail the remedy to approach Illaqa Magistrate, who has ample powers to supervise and even monitor the investigation as held by the Hon'ble Supreme Court in **Sakiri Vasu v. State of U.P. and others, 2008 (1) R.C.R. (Cr.) 392.**

Therefore, finding no merit in the present petition, the same is dismissed.

July 12, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No