

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

CRM-M-26098-2017 (O&M)

Date of Decision: 18.08.2017

DEEPAK KUMAR

...Petitioner

VS.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Mahender Singh Chahal, Advocate,
for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

Mr. Rajpreet Singh Sidhu, Advocate,
for respondents No. 5 to 9

1. *Whether the Reporters of local newspaper may be allowed to see the judgment?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest?*

KULDIP SINGH, J. (ORAL)

The petitioner has preferred this criminal petition under Section 482 of Code of Criminal Procedure for issuing directions to the official respondents to hand over the investigation of the case FIR No. 0177 dated 27.04.2017 registered at Police Station Pataudi, District Gurugram under Section 147, 148, 323 and 506 of the Indian Penal Code, to some other independent investigation agency.

Reply by way of affidavit of Tanya HPS, Assistant Commissioner of Police, Pataudi on behalf of respondents No. 1 to 4 has been filed in the Court today. The same is taken on record.

The reply of the State shows that during the investigation, offence under Section 307 IPC was added in view of the opinion of the Medical Officer. Another FIR No. 178 dated 27.04.2017 was also registered under Section 323/506 IPC at Police Station Pataudi, Gurgaon, on the statement of one Sikandar alias Manu for the injuries sustained by him in which offence under section 325 IPC was added in view of the opinion of the

Medical Officer. It is further stated that the investigation was conducted expeditiously and that challan has been presented against the accused Govind, Ajit, Deepak and Manu alias Sikander on 19.07.2017 before the learned Magistrate concerned. Some other accused are yet to be arrested in both the FIRs No. 177 and 178 dated 27.04.2017.

In the present case, challan against some of the accused has been presented and police is already conducting the investigation in both the FIRs in fair and impartial manner. Therefore, there is no ground to transfer the investigation of the present FIRs to some other independent agency.

In view of the foregoing discussion, present criminal petition stands dismissed.

August 18, 2017
Suresh Kumar

[KULDIP SINGH]
JUDGE

		✓	
Whether speaking / reasoned :	Yes	/	No
			✓
Whether Reportable :	Yes	/	No