

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29527-2017 (O&M)

Date of decision: 08.12.2017

Sucha Singh and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Manjeet Singh, Advocate for the petitioners
Mr.R.K.Makkad, Deputy Advocate General, Haryana
Mr.Harish Mehla, Advocate for the complainant

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Heard.

The present petition under Section 482 Cr.P.C. has been filed for transfer of investigation into FIR No.137 dated 28.4.2017 registered under Sections 420, 467, 471, 120-B IPC at Police Station Pinjore, District Panchkula to an independent agency like State Crime Bureau or any other agency.

It comes out that the dispute is regarding the genuineness of the family settlement.

Learned counsel for the petitioner contends that the family settlement was signed by all the four brothers and has been used by them at different forums. It is further contended that petitioner had produced some documents before the investigation agency which were not taken into consideration. Record from the municipal committee has also not been

collected. Petitioners are accused in the said FIR.

In the reply, on behalf of the State, it is stated that investigation in this case is already concluded and the fair investigation was done and challan in this case has already been presented before trial Court and the same is pending for 12.12.2017 for framing of charge. It is contended that everything was considered and there is no need for further investigation. The State as well as private respondents have relied on the authority of Apex Court in Vinay Tyagi vs. Irshad Ali @ Deepak and others, 2013(2) RCR (Criminal) 197 and pressed that in this case no further investigation or investigation from independent agency is required.

After considering the facts and circumstances, I am of the view that the only grouse of the petitioners is that some of the documents were not considered by the investigation agency, which according to them will prove that they have not committed any offence and that the record from the Municipal Committee was not collected.

I am of the view that in this case, investigation is already concluded. Case is pending trial before the learned Magistrate. The documents and the record of the Municipal Committee is defence of the petitioners- accused. They can always produce/ summon these documents and some documents from the Municipal Committee in defence to disprove the charges. There is no need to order further investigation or investigation by any independent agency.

The present petition is dismissed.

08.12.2017

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No