

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

CRM No.M-6122 of 2017 (O&M)

Date of Decision: March 02, 2017

Hakmuddin

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sarfraj Hussain, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for directing respondents No.8 to 10 to submit supplementary challan in case FIR No.130 dated 27.11.2014 under Sections 148, 149, 323, 447, 506 and 302 IPC registered at Police Station Bahin, District Palwal.

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

From the record, I find that earlier the petitions were filed by the complainant as well as the accused for transferring the investigation of this case to some other independent investigating agency. At that time of arguments, learned State counsel, learned counsel for the accused and learned counsel for the complainant did not bring it to the notice of this Court that challan has already been presented in this case. Therefore, in

view of the consent of the parties, the investigation was ordered to be

transferred to Crime Branch, Panchkula, vide order dated 23.07.2016. Then another petition was filed by Fayyad for transferring the investigation and taking proper speedy action. That petition was decided on 01.02.2017 by discussing all these facts and also the fact that when challan had already been presented and investigation had already been completed, therefore, there was no need to transfer the investigation or taking any speedy legal action and that petition was dismissed as having rendered infructuous. In that case, the petitioner was given liberty to file appropriate application for further investigation before trial Court, if so required.

Now, the present petitioner Hakmuddin has come with the prayer for directing respondents No.8 to 10 to submit supplementary challan in this case. Nothing has been stated as to whether any application was filed for further investigation before the Court below. As regarding earlier order passed by this Court entrusting the investigation to the Crime Branch, it has become infructuous as the challan was already presented and at that time, investigation was already complete.

In view of the above discussion, I do not find any merit in the present petition and the same is dismissed. However, the petitioner is at liberty to file appropriate application for further investigation, if so advised and if any application is filed, the trial Court will decide it as per law.

March 02, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No