

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

**CWP-6060-2016 (O & M)
Date of decision: 05.09.2017**

Brij Bala

....Petitioner(s)

V/s

State of Haryana and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Karan Singh, Advocate, for the petitioner.

Mr. Gaurav Jindal, Addl.A.G., Haryana.

Mr. Vibohr Bansal, Advocate, for respondent No.4.

Rajan Gupta, J. (Oral)

Prayer made in the petition is for transfer of investigation for fair and appropriate action pursuant to FIR No.203 dated 04.12.2015 registered under Sections 365 IPC, Police Station Radaur, District Yamunanagar.

Admittedly, investigating was being carried out by an ASI. After the FIR was registered, this court vide its order dated August 02, 2017, had raised certain queries. Said order reads as under:-

“Present petition has been filed by a widow, whose son has been missing since 2.12.2015. In her complaint, she has stated that her son had gone to the place of respondent No.4, where after he could not be located. FIR No.203 dated 04.12.2015 under section 365 IPC was registered at Police Station Radaur, District Yamuna Nagar. Investigation ensued. A status report by way of affidavit of Madan Lal, Dy. Superintendent of Police, Yamuna Nagar has been filed today. Same is taken on record. ASI Vinod Kumar, who is conducting investigation, is also present. On a query being put to him whether the forensic investigation has been resorted, he

simply states that information has been sent to Doordarshan about disappearance of son of the petitioner. No satisfactory answer is forthcoming regarding the manner in which the investigation is being conducted. Prima facie it appears that it may not be possible for the Assistant Sub Inspector, who is present, to take the investigation to its logical end. This court, thus, needs to consider the prayer for transferring the same to an independent agency. At this stage, learned State counsel submits that he may be given some time to seek instructions from respondent No.2 whether a SIT can be constituted for further investigation of the crime. Two weeks time is granted.

To come up on 5.9.2017.”

Today, learned State counsel submits that SIT has been constituted to investigate the crime. He has placed a copy of the order in this regard on record.

Learned counsel for the petitioner submits that he is satisfied with the constitution of SIT.

No further direction is, thus, necessary. Petition is hereby disposed of. A report regarding the status of investigation may, however, be submitted in the registry within 02 months from today.

September 05, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No