

258/2 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH

Hemlata
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CRM-M-16773-2014(O&M)

Date of decision:19.03.2018

Devi Chand

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S.Nara, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for transfer of investigation pertaining to FIR No.67 dated 13.03.2013 under Sections 406, 420, 406, 34 (467, 468, 471, 120-B (added later on) IPC, registered at Police Station Naraingarh, District Ambala to some other independent agency like Central Bureau of Investigation, Chandigarh.

The allegations in the FIR are that respondents No.8 to 12 i.e. the accused persons have taken Rs.24,55,000/- from the petitioner on the pretext of entering of son of the petitioner, namely Ashok Kumar as cricket player in Ranji Trophy, International premier league and Chittagong Premier League (Bangladesh), 2011.

This petition is pending since 2014 and in pursuance to the various orders passed by this Court, the reply by way of affidavit of Deputy Commissioner of Police, Rural Ambala on behalf of respondents No.1 to 6 on 08.08.2014; Short reply of Suresh Chand, HPS, Deputy Superintendent of Police, Yamunanagar on behalf of respondent No.7 on 14.08.2014; Reply by way of affidavit of Commissioner of Police, Naraingarh, on behalf of

respondents No.8, 10 to 12 on 21.09.2014; Status report by way of affidavit of Commissioner of Police, Naraingarh on behalf of respondent-State on 28.04.2015; Affidavit of Deputy Commissioner of Police (Rural) Ambala dated 08.07.2015; Status report by way of affidavit of DCP, Rural Ambala dated 04.11.2015 and 11.07.2016 have already been filed in Court.

As per last status report filed in Court, it is stated that the police has conducted impartial investigation against accused Rajiv Sharma & Rajiv Yadav, who were arrested and challan against Rajiv Sharma was filed before the Illaqa Magistrate on 26.11.2014. A supplementary challan against Rajiv Yadav was filed on 04.06.2015 and they are facing the trial. It is further stated that three accused persons, namely, Gurpreet Singh @ Ginni, Vishal Punj and Simran Singh were declared proclaimed offender by the trial Court vide order dated 25.05.2015 and even with regard to these three persons, supplementary challan was filed on 28.09.2015. The efforts made by the police with regard to conduct the raid for arresting the accused persons declared as proclaimed offender have also been detailed in the affidavit.

It may be noticed that Simran Singh one of the accused person, has already died.

In view of the above, this petition is disposed of with a direction to the official respondents that as and when the accused persons, who have been declared proclaimed offender are arrested and after necessary investigation, the supplementary challan will be presented against these persons.

Since, it has been brought to the notice of this Court by the Investigating Officer, ASI Dharmvir Singh that despite submission of

challan against two accused persons in the year 2014 and 2015, charges are yet to be framed. The trial Court is directed to expedite the trial and conclude the same, preferably within a period of one year from today.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

19.03.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No