

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

Crl. Misc. No. M-23782 of 2018

Date of decision : 30.05.2018

Shallu Bedi

... Petitioner

versus

State of Punjab & Ors.

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Naveen Sharma, Advocate
for petitioner.**

ANITA CHAUDHRY, J.

The prayer made in this petition is for transfer of investigation of FIR No. 110 dated 06.04.2018, registered under Sections 376, 323, 341, 506 read with Section 34 IPC at Police Station Division No.5, Ludhiana to some independent agency.

The petitioner is the author of the FIR. The allegations against the accused are of raping her on the pretext of marriage. According to her, the accused named in the FIR are influential persons and no action has been taken by the police so far and she apprehends that the local police has colluded with the accused. She also apprehends danger to her life and liberty.

I have heard learned counsel for the petitioner and have gone through the paper-book carefully.

The petition has been filed on the basis of apprehension. The petitioner has not produced any material to substantiate the claim. Mere apprehension of unfair investigation without any cogent and reliable link

ups or malafide on the part of the investigating Officer does not warrant transfer of investigation. The role of investigation is well defined and the scope of interference by the Court in process of investigation is limited. As long as Investigating Officer is making investigation independently without assistance of the Court, it is not within the powers of this Court to interfere with the investigation in exercise of powers under Section 482 Cr.P.C.

After registration of the FIR, the petitioner has made a representation, Annexure P-2 to the Commissioner of Police, Ludhiana, who is competent to assess the threat perception. No directions are required to be given.

Dismissed.

May 30, 2018
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No