

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

CRM-M-43299-2018

Date of Decision: 11.10.2018

Gurleen Kaur

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Gaurav Chopra, Advocate
for the petitioner.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for the following relief:

“Petition under Section 482 Cr.P.C. For the issuance of an appropriate order or direction seeking the transfer of investigation in FIR No.147 dated 18.8.2018 under Section 177, 420, 465, 468 and 471 of IPC registered at Police Station Punjab Agriculture University, Ludhiana (Annexure P/1) to an officer above the rank of Superintendent of Police considering the false implication of the petitioner at the behest of her husband in order to compel her to compromise the already pending matrimonial cases going between the parties and further to present a status report before this Hon'ble Court regarding the investigation undertaken. AND

Further directing the official respondents to present the status report of the investigation undertaken by them before this Hon'ble Court in a time bound manner which would bring to light the true facts revolving around the contents of the FIR and with the directions to the investigating agency not to take any coercive measure against the petitioners without issuing necessary notices under Section 160 Cr.P.C.”

2. Petitioner has not produced any material to show that he has sought for transfer of investigation in FIR No.147 dated 18.8.2018 under Section 177, 420, 465, 468 and 471 of IPC registered at Police Station

Punjab Agriculture University, Ludhiana (Annexure P/1) before the

competent authority so as to transfer the investigation. Thus, in the absence of necessary demand or representation to transfer investigation in an FIR before DGP or IGP or competent authority, petitioner has not made out a case.

3. Accordingly, petition stands dismissed. Reserving liberty to the petitioner to approach the concerned authority in respect of transfer of investigation. In the event of non-consideration of the petitioner's representation, petitioner is at liberty to approach this Court.

4. At this stage, learned counsel for the petitioner seeks time bound direction for deciding the representation in respect of petitioner's grievance.

5. In the absence of representation as on today, question of ordering time bound direction in the matter do not arise. Hence, contention of the learned counsel for the petitioner is hereby rejected.

6. Even at this stage, learned counsel for the petitioner keep on arguing the matter which is not fair. Therefore, petition is rejected with cost of Rs.5000/-. Cost shall be remitted to the Punjab and Haryana High Court Employees Welfare Association, Chandigarh.

11.10.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**