

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

113

CRM-M No.47500 of 2017 (O&M)
Date of Decision: January 12th, 2018

Dhirender Himanshu

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Pradeep Virk, Advocate
for the applicant-petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

CRM No.660 of 2018

Prayer in this application is for exemption from filing the certified/true typed copies of Annexures P-5 and P-6 (Colly.) and for permission to place on record true translated/true typed/photocopies of the same.

Application is allowed subject to just exceptions.

Photocopy of documents Annexures P-5 and P-6 (Colly.) is taken on record.

Exemption from filing the certified/true typed copies of above said documents is also granted.

CRM-M No.47500 of 2017

Petitioner has approached this Court with a grievance that earlier the case was investigated and the challan was presented. Thereafter the petitioner had moved an appropriate application for the matter to be investigated by the Crime Branch, Haryana, which was allowed and on that basis, a supplementary challan has been presented. During the trial, it so happened that the complainant and the official witnesses who had

conducted the investigation, have deposed in such a manner that the case of the prosecution is not standing on its own feet as per the petitioner. This conclusion of the petitioner has led to the filing of the present petition for further investigation of the case by Central Bureau of Investigation or any other independent agency.

This prayer of the petitioner, at this stage, cannot be allowed, especially when the trial is in progress and the witnesses, according to the petitioner, have turned hostile and are not supporting the case of the prosecution. The ground as has been asserted for making such a prayer would lead to a situation where there can be no end to the trial as at any/every stage, it will lead to providing an opening to a person to seek further investigation as to whenever the said person feels that the matter is not proceeding as per his/her desire and wish.

The present petition is totally misconceived and is hereby dismissed.

January 12th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No