

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-24827 of 2015

DATE OF DECISION: JULY 1, 2019

MAHENDER SINGH

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. SANJAY VASHISTH, ADVOCATE FOR THE PETITIONER.

MR. VIKRAMJIT SINGH, ADDL.A.G., HARYANA.

MS. RAMANDEEP KAUR, ADVOCATE
FOR MR. SUMEET GOEL, ADVOCATE
FOR RESPONDENT NO.6-CBI.

MR. SUDHANSHU MAKAR, ADVOCATE
FOR RESPONDENTS NO.8 TO 13.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed under Section 482 Cr.P.C. for issuance of directions to hand over the investigation in case FIR No.33 dated 12.3.2011, registered under Sections 302 and 201 IPC, Police Station Hisar, District GRP Ambala (Annexure P-11).

During the course of hearing, learned counsel for the State has apprised that after the conclusion of investigation, cancellation report stands submitted before the Court of competent jurisdiction and dissatisfied with the same, the petitioner has already filed protest petition which is pending consideration.

Learned counsel for the petitioner has insisted that the State Police has failed to investigate the case properly and it would be expedient

if the investigation is handed over to CBI. When confronted with the remedy available to the petitioner to raise this issue regarding lapses in the investigation before the Magistrate who is ceased of the cancellation report, it is not disputed by learned counsel that a separate application for issuance of direction to conduct further investigation is also pending before the same Court.

Since the petitioner has already taken effective steps to raise his grievance before the Court of competent jurisdiction, this Court does not find any reason to invoke the inherent powers under Section Section 482 Cr.P.C.

The petition is dismissed.

July 1, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No