

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

**CRM-M-49777-2018 (O&M)
Date of Decision:04.12.2019**

Amardeep Singh Sahni and others

...Petitioners

Versus

State of UT Chandigarh and others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Nakul Sharma, Advocate for the petitioners.
Mr.Vivek Goyal, Advocate for the respondents.

ANIL KSHETARPAL, J.

On 20.12.2018, following order was passed:-

“Prayer in the present petition is for issuance of direction to respondents No.1 and 2 to hand over the investigation of the case to some independent agency like CBI or to constitute a SIT.

It has been brought to the notice of this Court that an application under Section 173(8) Cr.P.C. has also been moved by the petitioner before the trial Court wherein reply has already been filed. Now the date fixed before the trial Court is 21.12.2018 for consideration of that application as to whether further investigation is required or not. Meaning thereby, the trial Court has already taken care of the application moved by the petitioner and more or less same prayer is there in the present petition. Whatever grounds have been raised by the petitioner before this Court can be addressed before the trial Court as the application is still pending for consideration.

Status report by way of affidavit of Deputy Superintendent of Police, Dr. Rashmi Sharma Yadav, Cyber Crime Investigation Cell, and I.T. Union Territory, Chandigarh has been filed in the Court today and the same is taken on record.

Learned counsel for UT Chandigarh is directed to file reply to the petition, if any.

However, the trial Court is directed not to frame charge till the decision on the application moved under Section 173(8) Cr.P.C.

Adjourned to 11.01.2019.”

Learned counsel for the parties admit that now investigation stands transferred to the Enforcement Director, Mumbai Zone Office.

In view thereof, the present petition is disposed of, as having been rendered infructuous.

04.12.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No