

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

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CRM-M-326-2019 (O & M)
Date of Decision:04.07.2019

Sunil Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Deepak Kumar, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed under Section 482 Cr.P.C. for transferring the FIR No.42 dated 06.06.2018 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Bahawala, District Fazilka (Annexure P-1) for investigation to some other agency.

The FIR in question was got recorded by the petitioner-Sunil Kumar on the ground that Banwari Lal son of Ranjit Ram, was his unmarried uncle and was living with him. It was alleged that the land belonging to Banwari Lal was cultivated by the petitioner/complainant as Banwari Lal was suffering from cancer and used to remain ill. Allegations were made regarding preparation of a forged Will of Banwari Lal dated 27.07.2015 by Vikram and Sunil on the basis of forged Aadhar Card etc.

According to the complainant, when Banwari Lal came to know about this fact, he executed a Will dated 19.08.2015 in favour of the complainant. On these broad allegations, FIR No.42 dated 06.06.2018 was registered.

On 09.01.2019, learned State counsel is directed to verify the facts as alleged in the petition.

In response to the same, reply by way of affidavit of Manjit Singh, PPS, Deputy Superintendent of Police (Rural), Abohar, District Fazilka on behalf of respondents No.1 to 3 was filed. It is mentioned that the dispute between both the parties is regarding Will set up by both of them and further that all the accused namely Surinder Kumar, Vikram Kumar and Sunil Kumar were arrested in this FIR.

Learned State counsel has apprised the Court that the investigation is going on.

Considering the facts and circumstances of the case and the fact that the investigation is in progress, therefore, this Court does not find any valid reason for transferring the investigation to any other investigating agency.

Petition stands dismissed.

04.07.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No