

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

**CRM-M No.11290 of 2020
Date of decision:17.03.2020**

Aakash Sharma

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. S.S. Nain, Advocate for the petitioner.

SUVIR SEHGAL J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. for proper investigation or for handing over investigation of case bearing FIR No.61, dated 07.02.2020 registered under Section 506 IPC, 1860, at Police Station Sector 10, Gurugram, District Gurugram to an agency, outside Gurugram or to the Crime Branch.

The petitioner claims that he had given Rs.83 Lacs to Rajesh, respondent No.2 and Om Parkash @ Vicky respondent No.3, out of which Rs.60 Lacs were transferred by RTGS to the account of respondent No.3 on 12.06.2017 and the remaining amount was given in cash to respondent No.2 and to Ved Parkash, respondent No.4 on 20.06.2017 by the brother of the petitioner. The said persons had assured that they will return the money within 6 months. However, respondents kept on delaying the payment on one pretext or the other. A complaint was moved against the said persons before the Commissioner of Police, Gurgaon and to the Chief Minister Window on 14.01.2020. The petitioner and respondents No.2 to 4 were called to Police Station Sector

4, Gurgaon where their statements were recorded. All the three respondents openly threatened the petitioner in front of the ASI that the petitioner should take back his complaint or his entire family will be killed. The petitioner asked the ASI to take action on the threat given by the said respondents. He submitted a written complaint dated 05.02.2020, Annexure P-2 to the SHO, Hayatpur, Gurgaon to take action. FIR No.61 dated 07.02.2020 under Sections 34/506 IPC, Annexure P-1 was registered but no action was taken thereon. The petitioner claims that the police is in collusion with the said respondents. The petitioner has further averred that respondents No.2 and 3 are involved in criminal activity and their names figure in other FIRs.

Counsel for the petitioner has been heard.

The entire claim of the petitioner is based on mere apprehension. FIR was registered on 07.02.2020 and is at the stage of investigation. This Court will refrain from interfering with the investigation particularly when there is nothing on the record to show that the Investigating Officer is acting in an unfair manner. Except for a mere statement that the police is acting in collusion with respondents No.2 to 4, there is no material on record to come to conclusion that the investigation is being carried out in a biased manner. The relief claimed for in the petition cannot be granted.

The petition is accordingly, dismissed.

17.03.2020

pooja saini

(SUVIR SEHGAL)
JUDGE

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