

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 6711 of 2018
Date of Decision: 24.2.2020**

Urmila

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Avneet K. Brar, Advocate for
Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana
assisted by ASI Vijay Pal.

Ms. Ramandeep Kaur, Advocate for
Mr. Sumeet Goel, Advocate
for CBI-respondent No. 4.

HARNARESH SINGH GILL, J. (ORAL)

This is a petition under Section 482 Cr.P.C. for issuance of directions to the respondents to transfer the investigation of FIR No. 271 dated 21.7.2014 under Sections 452/307/34 IPC (Section 302 IPC added later on) and Sections 25/25/(54)59 of the Arms Act, 1959 registered at Police Station Dadri City, District Bhiwani to CBI.

Learned counsel for the petitioner submits that the local police should have tried to locate the assailants through the CCTV cameras installed in the locality and collect the data/tower location of all the active mobile phones in the locality. However, no such process had been adopted by the police creating the very dent in the investigation conducted by the police.

Learned counsel for the CBI-respondent No. 4 submits that the

present case does not fall within the ambit of guidelines laid down by the Hon'ble Supreme Court of India in *State of West Bengal versus Committee for Protection of Democratic Rights, 2010 (3) SCC 571*, for issuing direction to CBI to conduct investigation/transfer the case to CBI in a case concerned and reiterated that such an order should not be passed as a matter of routine merely because a party has levelled allegations against the local police.

As per reply filed by way of affidavit of Ramesh Kumar, DSP, Charkhi Dadri, investigation was carried out by different agencies of the police but the accused could not be traced out and hence, untraced report was filed way-back on 28.9.2015.

Keeping in view the above, no case for issuing direction is made out.

The petition is disposed of accordingly.

(HARNARESH SINGH GILL)
JUDGE

February 24, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No