

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CRM-M No.29896 of 2020
Date of decision: 01.10.2020

Sukhdev Singh

.....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Shiv Kumar, Advocate for the petitioner.
*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).*

GIRISH AGNIHOTRI, J. (Oral)

Petitioner – Sukhdev Singh, stated to be aged 40 years, has filed the present petition *inter alia* with a prayer to conduct fair and impartial investigation in cases bearing FIR No.116 dated 15.03.2019 under Sections 420, 406, 506, 120-B IPC, Police Station City Yamuna Nagar, District Yamuna Nagar (Annexure P-8), FIR No.108 dated 17.02.2020, under Sections 354-A, 506, 509 IPC, Police Station City Yamuna Nagar, District Yamuna Nagar (Annexure P-13), and FIR No.109 dated 18.02.2020, under Sections 323, 506, 147, 149 IPC, Police Station City Yamuna Nagar, District Yamuna Nagar (Annexure P-14), by constituting a Special Investigating Team headed by an officer not below the rank of Superintendent of Police outside the jurisdiction of Inspector General of Police/ADGP Ambala or by transferring the same to the CBI or any Independent Agency.

Learned Senior counsel for the petitioner, at the outset, makes reference to Annexure P-15, which is a letter written by the Director General of Police, Haryana, to the Additional Director General of Police, Ambala Range, Ambala. In this letter, reference has been made to the directions of Hon'ble Home Minister, Haryana, that "*the matter may be enquired by another district*". He then refers to Annexure P-16 which is the order passed by the Inspector General of Police, Ambala Range, Ambala Cantt, thereby constituting new Special Investigation Team. In this order reference has been made to FIR No.108 dated 17.02.2020 and FIR No.109 dated 18.02.2020 and FIR No.116 dated 15.03.2019. Learned Senior counsel, then, submits that it is, therefore, cleared that all the three FIRs were to be got examined by the Special Investigation Team, so constituted.

The grievance of the petitioner as submitted by learned Senior counsel is that by ignoring the above mentioned two letter/order dated 15.07.2020 and 27.07.2020 (Annexures P-15 and P-16) respectively, vide order dated 24.08.2020 (Annexure P-19), the Superintendent of Police, Ambala, has transferred the investigation in FIR No.116 dated 15.03.2019, to Sh. Ram Kumar, DSP, Ambala Cantt.

Records of the case show that on 25.09.2020, the case was adjourned for today.

Notice of motion.

On the asking of Court, Mr. Rajiv Goel, DAG, Haryana, accepts notice on behalf of the respondents-State.

In view of the above and without commenting on the merits of the case, it is deemed appropriate to dispose of the present petition with a direction to respondent No.2-Director General of Police, Haryana, to examine the contention of the petitioner as noticed above and by taking into consideration the aforementioned letters i.e. 15.07.2020 and 27.07.2020, the Director General of Police, Haryana, may depute a Senior Officer to examine the matter and proceed in accordance with law and also complete the investigation at the earliest. It is further directed that it will be appreciated, in case the investigation is completed, as expeditiously as possible, preferably within **03 months** from the date of receipt of certified copy of this order.

Disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

01.10.2020.
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No