

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

CRM-M No.42881 of 2020 (O&M)
DATE OF DECISION: 18.12.2020

Gurtej Singh and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Manipal Singh Atwal, Advocate for the petitioners

..

ALKA SARIN, J. (Oral):

Heard through video conferencing.

This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for the transfer of investigation in FIR No.55 dated 06.05.2020 under Sections 457, 380 of the Indian Penal Code, 1860 (IPC) (Section 411 IPC added later on vide DDR No.23 dated 02.11.2020) registered at Police Station Dayalpura, District Bathinda to some other higher official.

The learned counsel for the petitioners would contend that the petitioner has been nominated on the basis of the disclosure statement of a co-accused. He would further contend that the petitioner is innocent and has falsely been implicated in the case. The learned counsel has further contended that the matter is still at the investigation stage and that a representation dated 09.11.2020 (Annexure P-4) has been sent to respondent No.2 for conducting the investigation of the case through some senior officer. Another representation has been given by the complainant himself dated 09.11.2020 (Annexure P-5) stating therein that the petitioner is innocent and has wrongly been implicated in the present case.

Notice of motion.

On the asking of the Court, Mr. V.G. Jauhar, Senior DAG, Punjab has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3.

The learned State counsel, on instructions from SI-Kulwant Singh, has made a statement that since the matter is still at the investigation stage, the representations (Annexures P-4 and P-5) would be taken into account before concluding the investigation and presentation of the challan.

On the basis of the statement made by learned State counsel, learned counsel for the petitioner is satisfied and does not wish to press the present petition at this stage.

In view of the above, the petition stands disposed off.

(ALKA SARIN)
JUDGE

18.12.2020
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NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO