

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

* * *

**CRM-M-1030 of 2021
Date of Decision: 11.01.2021**

Balbir Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jasraj Singh, Advocate for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

* * *

Avneesh Jhingan, J. (Oral)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed with the following prayers:

“Petition under Section 482 of the Code of Criminal Procedure praying for transfer of investigation in case FIR No.80 dated 7.9.2020 (Annexure P-1) registered at Police Station Garhdiwala, District Hoshiarpur, under Section 323, 324, 452, 148, 149 of the Indian Penal Code, 1860, to be independently conducted by a senior I.P.S. Officer or Bureau of Investigation, Punjab on account of the fact that the petitioner's son was brutally attacked by the accused persons leading to two fracture on his head with extradural hemorrhage and perilesional oedema, however, the investigating agency is not acting in a fair, impartial and objective manner as the relevant offences have not been invoked and three accused are being deliberately

left out under political influence, in connivance with the opposite party, and despite a Representation 1651-SSP dated 29.9.2020 (Annexure P-12) having been submitted by the petitioner, no action whatsoever has been taken till date by the official respondents and rather, material evidence is being deliberately suppressed by the investigating agency to favour the opposite party, causing grave prejudice to the petitioner-victim.

It is further prayed that a status report may also be called from the official respondents including the Respondents No. 6 and 7- Investigating Officer (IO) as they have failed to conduct the investigation in the present case in a fair, objective and impartial manner.”

Learned counsel for the petitioner, after arguing for some time and realising that the reliefs asked for are pre-mature does not press the same. Prayer is restricted that the representations dated 14.9.2020 and 29.9.2020 of the petitioner be decided.

Learned counsel for the State appearing on advance notice submits that the matter is being investigated.

The petition is disposed of. There is no doubt that the Investigating Officer while investigating the matter will consider the aspects put forth by the petitioner in the representations.

(AVNEESH JHINGAN)
JUDGE

11.01.2021
mk

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No