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

CRM-M No. 28904 of 2021
Date of Decision: 26.07.2021

Kamlesh Bhalla and another

-Petitioners

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Surabhi Kaushik, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioners seek transfer of investigation in complaint No.166-5D dated 10.10.2018 to some other Police Station owing to alleged biased approach of the police.

Learned counsel for the petitioners submits that a complaint was made on 10.10.2018 by petitioner No.2 with the allegations that on 20.05.2018, he left his wife Shivani at her mother-in-law's place when she was pregnant. Prayer in that complaint was only that the petitioner wanted to bring her wife back and Gian Bhardwaj be restrained to interfere in his matrimonial affairs.

Apparently, wife of the petitioner is not living with him and there is some matrimonial discord.

Admittedly, no FIR has been registered by the police in pursuance of the complaint filed by the petitioner. Police Station Moti Nagar, Ludhiana has also observed that during inquiry, it has been found that there is a dispute between petitioner No.2 and his wife Shivani and he himself left his wife at Saharanpur. Petitioner No.2 was informed by the police that he may get his grievance redressed by moving a complaint at Saharanpur where his wife is living. The said communication was made on 15.10.2018. Instead of resorting to any proceeding, the petitioners have preferred this petition for change of investigation in a complaint.

In view of aforesaid facts and circumstances, I do not wish to interfere in the present case as there is no FIR in existence nor is any inquiry pending in respect of complaint which was formally moved by petitioner No.2 only in the context of alleged interference done by Gian Bhardwaj.

This petition is found to be devoid of merits and the same is accordingly, dismissed.

July 26, 2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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