

126.

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

CRM-M-32886-2021

Date of Decision: 21.09.2021

KRISHAN

.... Petitioner

Versus

STATE OF HARYANA AND ORS.

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ajit Sihag, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Section 482 Cr.P.C. for issuance of appropriate direction or an order for transferring the investigation of FIR No.305, dated 13.06.2021, registered under Sections 34, 363, 366-A of IPC, at Police Station Narnaund, Police District Hansi, District Hisar, to some independent agency as well as seeking protection of life and liberty of the petitioner and his family members from the hands of respondents No.5 to 12.

Notice of motion to the official respondents only at this stage.

On the asking of the Court, Ms. Deepshikha Chauhan, AAG, Haryana, accepts notice on behalf of respondents No.1 to 4. She, on instructions from SI Sheela, would submit that the instant petition has been rendered infructuous as the matter has already been investigated and the challan has been presented on 17.08.2021 and the question of recording a fresh statement of the victim would not arise.

I have heard learned counsel for the parties and in view of the fact that the matter already stands investigated and challan presented, there would be no occasion to either transfer the FIR to some independent agency for investigation or to direct another statement of the prosecutrix to be recorded under Section 164 Cr.P.C.

At this stage, counsel for the petitioner would submit that the petitioner and his family members are facing threats at the hands of private respondents.

If that is the case, the petitioner is at liberty to move an appropriate application to the official respondents who would duly consider the same in accordance with law. Since the challan has been presented, the petitioner herein is at liberty to take appropriate remedies before the trial Court.

Present petition stands disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

21.09.2021
sanjeev

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