

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

CRM-M-40763 of 2021

Date of Decision: 29.9.2021

Sukhchain Singh

Petitioner

Versus

State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Karandeep Singh Dargan, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 482 Cr.P.C. is filed seeking direction to the respondents to hand over the investigation of FIR No. 45 dated 4.5.2021, under Sections 379-B, 411, 419, 120-B and 420 IPC, registered at Police Station Arniwala, District Fazilka to some senior police official of Ferozepur District.

As per the FIR the brother-in-law of complainant-Sandeep Sood claimed to have close relations with Sunny and Lucky who could get gold at a cheaper price. The complainant along with his brother-in-law and other co-accused reached the house of Balbir Singh (father of the petitioner) and Sukhchain Singh (petitioner) along with cash of Rs.15,00,000/-. He was informed by Sher Singh that the dealers have agreed to sell the gold worth Rs.31,00,000/- and asked to bring Rs.16,00,000/- more. In the meanwhile, Rs.15,00,000/- were kept by Sher Singh. The complainant arranged Rs.16,00,000/- more and on 30.4.2021, he along with Sourav Jairath visited the house of the petitioner and handed Rs.16,00,000/- to Sher

Singh. After some time, Kuldeep Singh @ Kala along with 4-5 unidentified persons came to the house of the petitioner, impersonated themselves as officials of Vigilance Department snatched the bag and fled away. In the FIR, it was alleged that all the accused including the petitioner in connivance with each other deprived the complainant of Rs.31,00,000/- on the pretext of getting gold at cheaper price.

The petitioner moved a representation on 22.9.2021 to Senior Superintendent of Police for transfer of enquiry from Fazilka to Ferozepur District. The contents of the representation are reproduced below:

“It is requested that a false case has been registered against me and my family. My family is added falsely. Enquiry be transfer from district Fazilka to Ferozepur district because the Investigating Officer of the Fazilka is close to the opposite party. Kindly transfer the enquiry to Ferozepur district.”

Learned counsel for the petitioner submits that the investigating officer is close to opposite party. The family of the petitioner is being harassed hence the enquiry should be transferred.

Learned counsel for the State appearing on advance notice submits that anticipatory bail petition of the petitioner was dismissed by this Court. He is to be apprehended and these are tactics being employed by the petitioner to delay the investigation.

Apart from bald statement made in representation, there are no basis made out for transfer of enquiry. No interference is called for.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

29th September, 2021
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1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No