

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CRM-M-9326-2022

Date of Decision:20.07.2022

Nawab Khan and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Nihul Pratap Singh, Advocate,
for the petitioners.

Mr. Ashish Yadav, Addl. A.G., Haryana.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant petition filed under Section 482 of the Code of Criminal Procedure read with Article 226 of the Constitution of India is for transfer of investigation in case FIR No.87 dated 04.09.2021 (Annexure P-1) under Sections 419, 420, 467, 468, 471, 506, 120-B of the Indian Penal Code, registered at Police Station Bhupani, District Faridabad from the local police to some independent agency like CBI or to constitute Special Investigation Team (SIT) headed by some Senior Police Officer from outside District Faridabad.

Pursuant to the order dated 04.03.2022, a status report by way of an affidavit of Devender Kumar, HPS, Assistant Commissioner of Police, Economic Offences Wing, Faridabad, had already been filed on behalf of the respondent-State. The relevant extract of the said report is reproduced

hereinafter below:-

“2. That civil litigations are also pending between the parties. The documents, transactions between the parties are being verified. However, it is pertinent to mention here that no relevant evidence has been collected during investigation against the respondent No.4 to 10 till date. Moreover, the investigation is still going on in the case.

3. That as per investigation and investigation joined by Mahender Singh respondent No.4, who submitted several documents regarding the disputes between the complainants and accused persons for taking loan, cheque transactions between the parties, civil suits for execution of sale deed and complaints under Section 138 of Negotiable Instruments Act and partition suits are pending before the various courts but no such observation of any competent court has been finalized. The respondent No.4 has also disclosed that various amounts are due against the complainants whereas nothing is due against the respondent No.4 or his family members in favour of complainants.

4. That the allegations of the complainants against the respondent No.4 to 10 and documents submitted by respondent No.4 are subject matter of verification. Even and otherwise after verification of facts, if any cognizable offence is made out, the action shall be taken therein immediately.

5. That the investigation of the present case is going on in a proper and legal manner, which does not require any interference in any manner so the petition of the petitioner is immature at this stage and thus deserve dismissal.”

In view of the averments so contained, learned counsel for the petitioner does not press the present petition and contends that he would be satisfied, in case, investigation in the case is concluded in a time bound manner.

The present petition is dismissed as not pressed.

Considering the fact that the FIR, in question, was registered on 04.09.2021, it would be expedient that the investigation be concluded expeditiously.

July 20, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No