

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

CWP-5894-2020

Date of decision : April 20, 2022

Raman Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- None for the petitioner.

RAJ MOHAN SINGH J. (ORAL)

There is no representation on behalf of the petitioner, even on second call.

The petitioner has preferred this writ petition for the issuance of a writ in the nature of mandamus, directing the respondent nos.1 to 4 to transfer the investigation to the police of any other District in Punjab and the case be investigated by some senior officer not below the rank of Superintendent of Police in case bearing FIR No.79, dated 13.07.2019, under Sections 420, 406 of IPC and 24 of the Immigration Act, 1983, registered at Police Station Mehtiana, District Hoshiarpur.

In the absence of learned counsel for the petitioner, the exact status of the investigation of the FIR cannot be appreciated. The petitioner has also approached the Director General of Police, Punjab, vide representation dated

15.01.2020. In the very nature of the prayer made by the petitioner, this Court observes self imposed limitation to exercise the constitutional powers in the matter relating to a criminal case. The extraordinary writ jurisdiction cannot be exercised in routine manner as the same has to be exercised very sparingly and in exceptional circumstances as held in ***“State of West Bengal and ors vs committee for Protection of Democratic Rights, West Bengal and ors 2010 (2) RCR Criminal 141.***

This petition is disposed of with liberty to the petitioner to pursue the representation dated 15.01.2020 filed before the Director General of Police, Punjab, in accordance with law.

(RAJ MOHAN SINGH)
JUDGE

April 20, 2022

sarita

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No