

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

CRM-M-14489-2019

Date of Decision: 24th May , 2022

Sandeep Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Sunil Ranga, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

This petition was filed seeking directions to the official respondents to transfer the investigation in FIR No. 1537 dated 20.11.2018 registered under Sections 323/324/34/341/379-B IPC at P.S. Panipat City to Central Bureau of Investigation or to some Special Investigation Team (SIT).

Notice of motion was issued on 6.9.2019 and the Superintendent of Police, Panipat was directed to look into the matter and file an affidavit of a gazetted officer giving the status of the investigation.

On 22.11.2019 affidavit of Rajesh Kumar, HPS, Deputy Superintendent of Police, Crime Panipat was filed. As per the affidavit filed, matter was initially investigated by ASI Balwan Singh, thereafter, the matter was referred to Crime Investigating Agency (CIA)-III, Panipat and the investigation was conducted by ASI Krishan. Various persons were interrogated but there was no clue of the culprits. The untraced report was

prepared stating that further investigation would be conducted on finding any clue of the culprits. SIT was constituted in this case by Superintendent of Police, Panipat under the supervision of the Deputy Superintendent of Police, Crime Panipat. Call details data were collected, eleven persons were interrogated but no clue was found.

Learned counsel for the petitioner argues that petitioner has a right to fair investigation.

There cannot be a dispute on the proposition that there should be a fair investigation in the FIR. In the present case, one of the prayer made in the petition was referring the matter to SIT. The needful was done as the SIT was constituted. In absence of any clue, the matter could not proceed further.

No ground is made out to transfer the investigation.

Petition is disposed of.

Needless to say that petitioner would be at liberty to avail remedies in accordance with law for redressal of the surviving grievance, if any.

(AVNEESH JHINGAN)
JUDGE

24th May, 2022
anuradha

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No