

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

(203-2)

CRM-M-19165-2021

Date of Decision : January 05, 2022

Sanatan Masih

.. Petitioner

Versus

State of Punjab and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashdeep Singh, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

None for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed seeking direction to transfer the investigation in FIR No.0017 dated 19.01.2021 registered under Sections 314 and 304-A of the IPC at Police Station Civil Lines Batala, District Batala to some independent agency or SIT (Special Investigation Team) headed by an Officer not below the rank of Superintendent of Police.

Learned counsel for the petitioner argues that no effective steps have been taken by the investigating agency to show that the investigation, which is being carried out in the said FIR, is as per law and by taking into consideration all the relevant facts, which had come before the investigating agency.

Learned State counsel submits that the investigation in the FIR is being conducted in a free and fair manner without any malice and all the evidence, which will come before the Investigating Agency will be looked into before forming an opinion on the allegations alleged in the FIR.

Learned State counsel submits that as per his instructions, the appropriate report as envisaged under Section 173 Cr.P.C will be presented before the competent Court of law within a period of next four weeks.

At this stage, learned counsel for the petitioner submits that the petitioner also apprehends threat to his life and liberty, which may kindly be protected by issuing appropriate directions to the police authorities.

Learned State counsel submits that the petitioner has already raised the said grievance in his representation dated 10.02.2021 (Annexure P-5) which will be considered by the Senior Superintendent of Police Batala and appropriate orders on the said aspect will be passed within a period of two weeks.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, he does not want to press this petition but the petitioner be given liberty to raise the grievance if any, before the competent Court of law qua the report to be submitted under Section 173 Cr.P.C as and when the same will be taken up for consideration.

Ordered accordingly.

January 05, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? : Yes
Whether reportable? : Yes