

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
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CRM-M-19437-2022

Date of Decision: 24.11.2022

Surinder Pal Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Ms. Tanu Bedi, Advocate for the petitioner.

Mr. G.S. Sandhu, Deputy Advocate General, Punjab.

Ms.Kanika Ahuja, Advocate for the complainant.

ASHOK KUMAR VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for transfer of investigation in case FIR No. 26 dated 15.02.2022 (Annexure P-1) registered under Section 377 IPC at Police Station Phase-11, District SAS Nagar, to any agency/official beyond the State of Punjab, to any independent agency in UT Chandigarh, State of Haryana or the Central Bureau of Investigation (CBI), since, the allegations in the FIR are of grave and serious nature.

Upon notice, status report dated 02.08.2022 by way of affidavit of Sh. Harsimran Singh Bal, Deputy Superintendent of Police (City-II), District SAS Nagar (Mohali), on behalf of respondent No. 1-State has been filed.

It has been averred in the aforesaid reply that FIR No. 26 dated 15.02.2022 under Section 377 IPC was registered on the complaint of Harpreet Singh against his uncle (Chacha) Kuldeep Singh. Kuldeep Singh, was arrested on 17.03.2022, on the basis of production warrants and his police remand was obtained. Complainant-Harpreet Singh, was summoned to join investigation. However, he has not joined the investigation and did not provide any information regarding his passport, VISA detail, immigration record and fresh identification proof etc. After completion of investigation, cancellation report was prepared and presented before the Area Magistrate/trial Court which is pending adjudication.

In view of the above, this petition is disposed of with liberty to the petitioner to avail remedies in accordance with law for redressal of surviving grievance, if any.

November 24, 2022
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No