

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-17785-2019

Date of Decision: 25.08.2022

Balsher Singh

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Aditya Sanghi, Advocate for the petitioner

Mr. Chetan Sharma, AAG Haryana

Sandeep Moudgil, J. (Oral)

Prayer in this petition is for issuance of direction to respondent No.1 to get FIR No.0649 dated 23.11.2018 (Annexure P-1) under Sections 304, 323, 34, 452, 506 IPC, Police Station City Fatehabad, District Fatehabad, investigated by a Senior Police Officer posted outside District Fatehabad or by some other agency.

Learned State counsel submits that earlier reply was filed on 10.07.2019 wherein it was averred that challan has already been filed on 04.03.2019.

Filing of challan has rendered the present petition infructuous since the grievance of the petitioner seeking transfer of the investigation to a senior police officer posted outside District Fatehabad does not survive any more.

In view of the fact that the challan stands filed before the Illaqa Magistrate concerned, the remedy to object to the challan, if any, with regard to the ambiguity in the investigation on the part of the prosecution is before the trial court and the petitioner will be at liberty to raise pleas before the same Court.

Disposed of as having been rendered infructuous.

25.08.2022

V.Vishal

(Sandeep Moudgil)

Judge

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No