

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

246

CRM-M-44684-2018 (O &M)

Date of decision: 22.07.2022

GURPREET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Amritpal Singh Gill, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

...

VINOD S. BHARDWAJ, J. (Oral)

The instant petition had been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking transfer of investigation in case bearing FIR No114 dated 19.03.2018 under Sections 406, 420 of the Indian Penal Code, 1860 at Police Station Dakha, Ludhiana Rural to an independent agency and also seeking directions to official respondents to not harass the petitioner at the behest of private respondents.

2. Reply by way of affidavit of Harkamal Kaur, PPS, Deputy Superintendent of Police, Dakha, Police District Ludhiana (Rural) has been filed. The relevant extract of the same reads thus:

“2. That during the further investigation, it was found that respondents No. 4 to 6 have performed the said marriage of respondent No.4 with the petitioner without getting divorce from her previous husband Gurpreet Singh and this has been done by the said accused in connivance with Manpreet Kaur, Sarwinder

Singh, Kulwinder Singh and Manjinder Singh. Accordingly Sections 495, 496, 120-B of the IPC has also been added vide Zimni No.3 dated 24.05.2018 and the said persons have also been nominated as accused in the said FIR. Hence, the present petition is liable to be dismissed on this ground alone.

3. That, however, the accused are absconding and repeated raids are being conducted to arrest them. As respondent No.4 is residing abroad, therefore Notice u/s 105-B Cr.P.C. is being sent to respondent no.4 for procuring her presence. Further investigation is still pending and after completion of the same, Challan/Final Report u/s 173 Cr.P.C. will be prepared accordingly. Hence, the present petition is liable to dismissed on this ground as well.”

3. Mr. Karanbir Singh, AAG, Punjab has said that the final report upon conclusion of investigation has already been filed on 02.01.2021 and that the matter is now pending before the Illaqa Magistrate.

4. In view of the above, no further directions are required to be issued in the present case. The petitioner shall however be at liberty to move an appropriate application before the trial Court/Illaqa Magistrate where the final report is pending for further progress.

5. Dismissed as not pressed at this stage with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

JULY 22, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No