

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

236

CRM-M-26087-2019 (O&M)

Date of decision: 14.11.2022

RENU

....Petitioners

Versus

STATE OF HARYANA AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Gaurav Gupta, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG Haryana.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 482 CrPC for transfer of investigation in case FIR No.0171 dated 05.04.2019 under Section 148, 149, 323, 341 and 506 of the IPC registered at Police Station Hodal District Palwal to some other independent investigating agency or to some penal comprising of higher rank officers.

Notice of motion in this case was issued on 01.07.2019 pursuant to which reply dated 08.02.2020 by way of affidavit of Vivek Chaudhary, HPS, Deputy Superintendent of Police, Hodal had been filed. Learned State counsel refers to para 2 of the preliminary submissions to submit that investigation is already complete in this case. She further on instructions from ASI Mahinder Singh submits that charges have also been framed. Para 2 of the reply reads thus:-

“2. That after registration of the case, the investigation was conducted by SI Dharmbir, P.S. Hodal and during the investigation of the case, who visited at the place of occurrence and prepared rough site plan and also recorded the statement of witnesses and on 14.06.2019, arrested the accused namely Ankit @ Bhola son of Satbir & Sachin son of Ghanshyam who suffered their separate disclosure statement and admitted about the involvement in the commission of crime and on the basis of disclosure statement, both accused

recovered dandas which were used in the commission of crime. On 18.06.2019, the investigation was conducted by SI Kuldeep Singh SHO of P.S. Hodal and during the course of investigation, joined respectable persons namely (i) Jitender son of Sh. Jasram, (ii) Ghanshyam son of Sh. Ram Khiladi, (iii) Dalchand son of Sh. Hukam, (iv) Anil son of Sh. Tarif, (v) Satpal son of Sh. Karan Singh, (vi) Mahesh son of Sh. Hukam, (vii) Mohan son of Tarif Singh, (viii) Anil son of Sh. Khem Chand, (ix) Rajesh son of Sh. Nihal, (x) Satbir son of Sh. Girraj. (xi) Raju son of Santa and out of which five respectable persons submitted their separate affidavits about the non involvement of Nisha daughter of Satbir & Rajvati wife of Satbir in the commission of crime, as such Nisha daughter of Satbir & Rajvati wife of Satbir were found innocent and however after completion of investigation against accused persons namely Amit @ Bhola & Sachin, the challan u/s 173 of Cr.P.C. was prepared and produced before the Trial Court and the case is pending before the Court of S.D.J.M., Hodal, as such investigation of the case has already been completed and no need to transfer the case for any investigation agency, hence in these circumstances, the present petition is not maintainable and liable to be dismissed.”

Learned State counsel submits that the present petition has been rendered infructuous.

In view of the above, no further order is required to be passed in the matter and the present petition is disposed of as having been rendered infructuous.

(AMAN CHAUDHARY)
JUDGE

November 14, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>