

In the High Court of Punjab and Haryana at Chandigarh

**CRWP No. 9400 of 2021
Date of Decision: 21.1.2022**

Ravi Godara

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Surender Lamba, Advocate for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

(Through video conferencing)

1. Since the learned State counsel states at the bar, that after completion of investigation into the complaints, respectively of 31.8.2021, and, of 03.9.2021, and, also after completion of investigation into FIR No. 171 of 22.7.2021, and, of FIR No. 209 of 29.8.2021, as became registered with Police Station Badhra, District Charkhi Dadri, the investigating officer concerned has filed a report under Section 173 Cr.P.C., before the learned Magistrate concerned.

2. Consequently, the prayer made in the petition for transfer of investigation, is not maintainable, as the afore was maintainable prior to the filing a report by the investigating officer concerned, and/or, after application of mind being made by the Magistrate concerned, both upon, the report filed under Section 173 Cr.P.C. by the investigating officer concerned, and, upon the above prayer of the complainant. Though the afore

prayer was not made at the afore stage, before the learned Magistrate concerned. However, if thereafter charges are not framed, and, hence the report under Section 173 Cr.P.C., is still under consideration before the learned Magistrate concerned, thereupon it is open to the petitioner to ask for further investigations, and/or, for transfer of investigations into the FIRs (supra), in accordance with law.

3. With the afore granted liberty, the petition is disposed of. Moreover, any prayer for protection being granted to the petitioner, be also made before the Magistrate concerned, who shall, in accordance with law, make an appropriate direction, upon, the investigating officer concerned.

(SURESHWAR THAKUR)
JUDGE

January 21, 2022
Gurpreet

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