

**109 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-57185-2022

Date of Decision:08.12.2022

SAMASUDDIN

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Satish Chaudhary, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 482 Cr.P.C is seeking direction to official respondents to substitute Section 279 and 304A of IPC by Section 302, 211 and 120B IPC in FIR No.415 dated 30.08.2022 registered at Police Station Hodal, District Palwal.

Notice of motion.

On the asking of Court, Mr. Vikas Bhardwaj, AAG, Haryana accepts notice on behalf of respondent-State.

Learned State Counsel assures the Court that IO would conduct investigation without being influenced by alleged accused or any other person.

The sphere of investigation falls within realm of investigating agency. The Court has no authority to impose its opinion upon the Investigating Officer. The police has to decide mode, mean and manner of investigation. Unless and until, there is flagrant violation of mandate of law of land or it is *prima facie* found that IO is conducting investigation in an unfair, bias or unreasonable manner, Court is not

supposed to interfere.

The Court is sanguine of the fact that in view of statement of learned State counsel, IO would conduct free and fair investigation and without being influenced by any pressure.

Disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.12.2022
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>