

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

CRM-M-5495-2021

Date of Decision:20.04.2023

PINKI

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Nitin Sharma, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Section 482 Cr.P.C is seeking transfer of investigation arising out of present FIR No.0421 dated 21.11.2020 from P.S. Kanina to some Gazetted Officer posted at District Head Quarter, Narnaul.

2. Learned State counsel submits that police after completing investigation has already filed challan, charges stand framed and 1 out of 10 prosecution witnesses has already been examined.

3. Learned counsel for the petitioner submits that FIR was registered on the direction of Magistrate. The Magistrate had directed to registered FIR and it was registered under Section 323, 341, 354, 448, 452 and 506 of IPC. The police after completing investigation has filed challan only under Section 323, 506 and 509 of IPC.

4. I have heard the arguments and perused the record.

5. It is undisputed that challan stands present and charges stand

framed. The Trial Court is seized of the matter. The Trial Court has ample power to summon a person as an accused, if it finds that he has committed an offence. The Trial Court is further competent to invoke provisions of IPC or other enactment creating criminal liability, if it finds that accused has committed an offence other than invoked in the challan.

6. No further order is warranted.
7. Disposed of.

(JAGMOHAN BANSAL)

JUDGE

20.04.2023

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