

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

CRM-M-7088-2023

Date of Decision: February 10, 2023

DAVID GILL

..... Petitioner

Versus

STATE OF PUNJAB AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Anupam Singla, Advocate for the petitioner.

HARKESH MANUJA, J. (ORAL)

By way of present petitioner filed under Section 482 Cr.P.C., prayer has been made for transfer of investigation of FIR No.294, dated 11.11.2022, u/s 420, 465, 467, 468, 471 IPC registered at P.S. Division 5, District Police Commissionerate, Ludhiana and FIR No.18 dated 26.01.2023, u/s 323, 341, 506, 34 IPC, P.S. Moti Nagar, District Police Commissionerate, Ludhiana to respondent No.2 i.e. Central Bureau of Investigation.

Learned counsel for the petitioner submits that under the influence of respondent No.7 who happens to be acting Youth President of the ruling party of District Ludhiana, the petitioner has strong apprehension about the fair investigation of the afore-mentioned FIR.

I have heard learned counsel for the parties including Mr. Tarun Aggarwal, Sr. DAG, Punjab who is already present in pursuance to advance notice.

Both the FIRs have been registered in the recent past

and the investigation is still at the initial stage. Mere fact that respondent No.7 happens to be Acting Youth President of ruling party cannot put a question mark upon the credibility of the Investigating Agency.

Accordingly, I do not find any substance in the present petition so as to transfer the investigation of the afore-mentioned FIRs to the CBI at this primitive and premature stage. However, considering the facts and circumstance of the present case the official respondents shall look into the representations i.e Annexures P-6, P12 and P-16 as submitted by the petitioners at the time of preparing the final report.

Disposed of accordingly.

10.02.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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