

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

246

CRM-M-30664-2023 (O&M)
Date of decision: 25.09.2023

Kulwinder Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Hardip Singh, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. The present petition has been filed under Section 482 Cr.P.C. praying for transfer of the investigation of the case registered vide FIR No.0241 dated 02.12.2021, under Sections 406 and 420 IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police Station Pasyana, District Patiala to Crime Branch or some other independent agency outside Patiala for free, fair and proper investigation.

2. Learned counsel for the petitioner submits that initially, the DSP, had come to the conclusion that Dharam Singh and Amarjeet have cheated the complainant, however, in a subsequent enquiry, Amarjeet has been declared to be not involved and only Dharam Singh, who is abroad and whose presence is not possible to be secured is the only one. As such, the matter requires to be enquired into afresh, for which he can file a representation in case, a senior officer considers the same.

3. Learned State counsel on instructions submits that in case the petitioner files an application/representation in this regard, the same shall be

looked into by an officer senior than the one, who had re-enquired into the matter after the report of DSP.

4. In view of the limited prayer made by the petitioner and the statement of learned State counsel, but without commenting upon the merits of the case, this petition is hereby disposed of with a direction that in case, any such representation is filed by the petitioner within a period of 15 days from today, the same be considered by an officer not below the rank of Inspector General of Police, expeditiously, in accordance with law by joining the petitioner and a decision thereon be conveyed to him after completion of the enquiry.

(AMAN CHAUDHARY)
JUDGE

September 25, 2023
M.Kamra

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