

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

122

2023:PHHC:096247

CRM-M-36252-2023

Date of decision: July 27th, 2023

Bhupender

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Preeti Singh, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

The instant petition has been filed seeking directions to the official respondents to conduct proper investigation of case bearing FIR No.0096 dated 17.04.2023 under Sections 294, 34, 341, 384, 506 of the Indian Penal Code registered at Police Station Loharu, District Bhiwani (Annexure P-1), against the petitioner and his wife.

2. Learned counsel, *inter alia*, contends that a false and fabricated case has been planted upon the petitioner in connivance with the investigating agency. Rather the complainant was a man of criminal antecedents, which fact was ignored by the investigating agency when the FIR in question was lodged. A prayer has, therefore, been made that the investigation of the case be transferred to the Central Bureau of Investigation or some other independent agency so that the respondent No.5 may also face criminal trial for bringing forth a false case against the petitioner.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.
4. The matter, as also not disputed by learned counsel for the petitioner, is still under investigation. It needs to be reiterated that investigation falls within the exclusive domain of the investigating agency and this Court cannot be expected to step into the shoes of an investigator. Merely because the complainant has criminal antecedents would not be a sufficient ground to entrust the investigation of the FIR in question to the Central Bureau of Investigation.
5. In view of the above, this Court is not inclined to issue directions as sought for.
6. Dismissed.
7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

July 27th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No