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

**CRM-M-38742-2023
Date of Decision: 08.08.2023**

Darshan Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Yashpal Marken Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure seeking transfer of investigation of FIR No.87, dated 28.06.2023, under Sections 399/402 IPC, registered at Police Station Nurpur Bedi, District Rupnagar to some other independent agency as the son of the petitioner is innocent, who has been falsely implicated in the present case.

2. Learned counsel for the petitioner has submitted that the son of the petitioner has been falsely implicated in the present case by the police and it is a case of mishandling of the son of the petitioner and further submitted that investigation be transferred to some other independent agency.

3. At this stage, Mr. Sarabjit Singh Cheema, DAG, Punjab accepts notice on behalf of the respondents and states that he has received an advance copy of the present petition and has gone through the same and has

also got instructions from ASI Dilbagh Singh. He submitted that in the present case, the investigation of the has already been completed and challan has also been presented.

4. I have heard the learned counsels for the parties.
5. The present petition has been filed for seeking transfer of investigation to some other independent agency on the ground that the son of the petitioner has been falsely implicated in the present case and was mishandled by the police officer. However, the petitioner has approached this Court straight away without even giving any complaint either to the concerned SSP or to the learned Magistrate/Illaqa Magistrate.
6. Therefore, this Court is of the view that the present petition is not maintainable, therefore, the same is dismissed on the ground of the maintainability.
7. Needless to say that the petitioner shall always be at liberty to file any appropriate complaint/representation to any concerned authority either to the police or to the learned Magistrate/Illaqa Magistrate strictly in accordance with law.

08.08.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No