

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

211

CRWP-10991-2022

Date of Decision: 06.01.2023

Dr. Neelam Sharma and Another

...Petitioners

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Harlove Singh Rajput, Advocate for the petitioner

Mr. Amish Sharma, AAG, Punjab and

Mr. Digvijay Nagpal, AAG, Punjab

(assisted by ASI Umesh Kumar)

JAGMOHAN BANSAL, J. (Oral)

The petitioners through instant petition are seeking transfer of investigation in FIR No.91 dated 03.06.2020 (Annexure P-2) under Section 323, 498-A and 509 IPC, registered at Police Station Goraya, District Jalandhar (Rural), from respondent No.3 to any other officer.

Status report by way of affidavit dated 06.01.2023 of Jagdish Raj, Deputy Superintendent of Police, Sub-Division Phillaur, Jalandhar (Rural) is taken on record. The Registry is directed to tag at appropriate place.

Learned counsel for the petitioners submits that petitioners filed present petition on 10.11.2022 and this Court issued notice of motion on 14.12.2022. The respondents vide Zimni No.101 dated 23.12.2022 has added offences under Sections 341, 342, 417 and 120-B IPC which shows bias on the part of respondent No.3.

Learned State counsel, on instructions from ASI Umesh Kumar, submits that investigation stands completed and challan would be filed within 20 days. Any order may result into re-investigation and

there would be no end of investigation. The offences have been added on the basis of evidence on record.

On being confronted with afore-stated facts, learned counsel for the petitioners confines his prayer to the extent of direction to some senior officer to consider representations dated 16.09.2022 and 22.09.2022 (Annexure P-11) of the petitioners before filing police report under Section 173 Cr.P.C.

Learned State counsel fairly submits that it is not necessary to conduct re-investigation or fresh investigation, however, representations (Annexure P-11) of the petitioners would be considered by an officer senior to respondent No.3.

In view of statement made by both sides, respondent No.2 is directed to appoint an officer, senior to respondent No.3, to look into representations dated 16.09.2022 and 22.09.2022 (Annexure P-11) of the petitioners and ask him/her to do the needful prior to filing of challan.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

06.01.2023

Mohit Kumar

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*