



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

267

CRM-M-4040-2024
Date of Decision : **September 10, 2024**

HIMANSHU KAJAL

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Mansur Ali, Advocate
for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 482 Cr.P.C., prayer is made for issuance of directions upon the official respondents to transfer the investigation of case FIR No. 0196 dated 20.9.2023, registered under Sections 420, 406 IPC at Police Station City, Rampura, District Bathinda.

2. This Court vide order dated 25.1.2024, this Court had issued notice of motion and directed the State to file status report with regard to the investigation.

3. As per the reply dated 18.4.2024 of Pritpal Singh, PPS, Deputy Superintendent of Police, Sub-Division, Rampura Phul, District Bathinda, filed by the State, it reflects that after conducting the investigation, now the



prosecution agency has opted to file a cancellation report before the learned Illaqa Magistrate concerned, which is pending consideration.

4. The learned State counsel on instructions imparted to him by the official concerned, submits that now even the petitioner has filed a protest petition against the cancellation report and the grievance raised before this Court, has already been raised before the learned Illaqa Magistrate concerned.

5. Since the petitioner has availed the alternative remedy by filing a protest petition, he is relegated to the learned trial Court concerned for the grievance, which has been raised before this Court through the instant petition.

6. It is also open for the petitioner, to raise the issue of further investigation before the Court concerned. In case such an issue is raised, the latter shall decide the same on the basis of the facts and circumstances and the merits of the case.

7. **Disposed** of accordingly.

September 10, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No