

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-4747 of 2024 (O&M)
Date of Decision: January 30, 2024

Parveen Kumar Bansal

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARPREET SINGH BRAR

Present:- Mr. Tushaar Madaan, Advocate for
Mr. Mansur Ali, Advocate
for the petitioner

Mr. Subhash Godara, Addl. A.G. Punjab

Harpreet Singh Brar, J. (Oral)

1. The prayer in the present petition under Section 482 Cr.P.C. is for issuance of an appropriate order or direction to respondent No. 2 to forthwith transfer the investigation of case FIR No. 0123 dated 05.06.2023 under Sections 325, 323/34 of Indian Penal Code registered at Police Station City Rampura, District Bathinda from the District Police Bathinda and the same be monitored by respondent No. 2.
2. Learned counsel for the petitioner *inter alia* contends that the entire incident in which the petitioner suffered injuries were captured in the CCTV camera and the jurisdictional police authorities are not performing their statutory duty and due to their indolence attitude the petitioner has left with no other option but to approach this Court. Learned counsel for the petitioner further submits that he apprehends that the jurisdictional police authorities are favouring the accused and they are in the process of filing cancellation report. Learned

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counsel relies upon judgment passed by Hon'ble Supreme Court in *Amar Nath Chaubey vs. Union of India and others, 2021(1) RCR(Criminal) 209.*

3. Per contra, learned State counsel submits that only vague and general allegations against the investigating agency have been levelled without any substance. The petitioner has approached this Court without approaching the jurisdictional Magistrate, who is well equipped with power under Section 156 Cr.P.C. to monitor and relegate the investigation and relies upon order dated 12.05.2022 passed in CRM-M-18831-2022 titled as *Hansa Singh vs. State of Punjab.*

4. Having heard learned counsel for the parties and after perusing the record, this Court finds no force in the arguments advanced by learned counsel for the petitioner, as such no ground is made out to pass any direction in the facts and circumstances of the case.

5. The petition is dismissed.

6. However, the petitioner would be at liberty to approach the concerned jurisdictional Magistrate to invoke his alternative remedy as available to him in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

January 30, 2024

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No