

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-6104-2024
Date of decision : 29.02.2024

M/s HCI RMC Private Limited Petitioner

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. D.S. Gandhi, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 482 Cr.P.C. seeking fair and non-biased investigation in FIR No.138 dated 20.08.2023, registered for the offences punishable under Sections 420 of IPC and Section 66(c) of IT Act at Police Station Division-A, Police Commissionerate, District Amritsar.
2. Status report by way of affidavit of Navjot Singh, PPS, Additional Deputy Commissioner of Police (Investigation), Amritsar has been filed behalf of respondents No.1 to 4-State. As per the same, the investigation has made headway and the progress has been spelled out in para 10 of the status report which reads as under:-

“10. That it is respectfully submitted that keeping in view the totality of the facts and submissions made hereinabove, it is evident that the investigation of the aforesaid case FIR No. 138/2023 (supra) is being conducted in fair, impartial and proper manner, during which relevant record qua the fraudulent accounts, wherein cheated amounts were transferred

from the account of petitioner firm have been obtained from concerned quarter. The account holders of these accounts have been stated to be residents of Uttar Pradesh, Bihar and Assam. The fraudulent accounts and amounts lying in these accounts have been frozen. In addition to this, proceedings under Section 457 Cr.P.C. with regard to release of the frozen amounts from fraudulent accounts in favour of the petitioner firm were also initiated, but no order has been passed by the concerned learned Court. Since the accounts holders of all the three fraudulent accounts are residents of Uttar Pradesh, Bihar and Assam, hence in pursuance to directions issued by the Hon'ble Apex Court in SLP No. 9127 of 2013 titled as Arnesh Kumar Vs State of Bihar, the notices under Section 41-A Cr.P.C. are being issued to the aforesaid persons for joining the investigation. Hence further action shall be taken in this case in accordance with law upon joining investigation by these persons. The investigation of the present case FIR No. 138/2023 (supra) shall be taken to its logical conclusion.”

3. In view of above, this Court is satisfied that the investigating agency is taking the investigation seriously. Consequently, no further order is required to be passed.
4. Petition stands disposed off.

(PANKAJ JAIN)
JUDGE

29.02.2024
Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No