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CRM-M-12111-2014
Decided on: 28.08.2024

SPS Bhullar

...Petitioner

Versus

UT Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arshdeep Bhullar, Advocate and
Mr. Sharma Raj Kumar, Advocate
for the petitioner.

Mr. J.S. Toor, APP, UT Chandigarh.

Mr. K.K. Saini, Advocate and
Mr. Abhishek Saini, Advocate
for the applicant in CRM-37765-2015.

ANOOP CHITKARA, J.

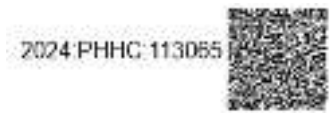
FIR No.	Dated	Police Station	Sections
7	07.01.2014	Sector-36, Chandigarh	420 IPC

1. The petitioner, who is a practicing advocate and member of District Courts Bar Association, Chandigarh, had come up before this Court a decade earlier by filing the present petition to transfer the investigation in the FIR captioned above, to CBI because there was no hope for fair investigation of the case by Chandigarh Administration.

2. I have heard counsel for the parties and gone through the record and its analysis would lead to the following outcome.

3. Counsel for the UT submits that the investigation is not concluded because some important documents were not supplied to the investigator and communication was sent to District Bar Association vide order dated 05.04.2024.

4. Needless to say that if anyone does not comply with the orders of the investigator then such investigator can take recourse of Sections 160 & 165 CrPC, but



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investigation must not suffer simply because of the non-compliance by any person.

5. Counsel for UT submits that they be given reasonable time to conclude the investigation and they undertake to complete the investigation in accordance with law before the stipulated date.
6. Given above, the concerned Superintendent of Police, UT Chandigarh is directed to ensure to conclusion of the investigation which is pending for last decade, positively by 31.10.2024 and proceed as per outcome of the investigation.
7. Regarding prayer to transfer the investigation to the CBI is concerned, liberty is reserved to the petitioner to come to this Court again, if he is not satisfied with outcome of the investigation, but at this stage this Court would not transfer the investigation. Petitioner shall also be at liberty to file an application for a summary of the investigation report from the concerned SHO and on such application, details be given to him within a week from filing of such application. It is clarified that such application be filed on the closure of investigation or latest by 01.01.2025, whichever is earlier.
8. Petition is disposed of with the aforesaid observations. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.08.2024
anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.