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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24228-2024 (O&M)
Date of decision: 14.05.2024

DXXX

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhishek Jindal, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for handing over the investigation of FIR No.16 dated 24.01.2024 under Sections 376(2)(n), 376(D), 323, 328, 120-B, 506 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Line Par Bahadurgarh, District Jhajjar, to an independent agency, preferably Central Bureau of Investigation or any other investigating agency, outside the State of Haryana or to constitute a Special Investigation Team.
2. Learned counsel for the petitioner, *inter alia*, contends that the jurisdictional police authorities are not conducting the investigation properly and they failed to perform their statutory duty. As such, the petitioner has approached learned jurisdictional Magistrate by filing an application, in which



the Station House Officer of the concerned police station has failed to file the status report as directed by the concerned Court, which led to issuance of show cause notice to the officer concerned.

3. Having heard learned counsel for the petitioner and after perusing the record of the case with his able assistance, this Court finds no force in the arguments advanced on behalf of the petitioner.

4. The FIR (*supra*) was registered on 24.01.2024 and the petitioner has already approached the jurisdictional Magistrate, who is seized of the matter, and has already issued show cause notice to the officer concerned. The jurisdiction Magistrate is well equipped with power under Section 156 Cr.P.C. to monitor and relegate the investigation. Reliance in this regard is placed upon the law laid down by the Hon'ble Supreme Court in ***Sakiri Vasu Vs. State of U.P. and others, 2008 (1) RCR (Criminal) 392*** and the order dated 12.05.2022 passed by this Court in ***CRM-M-18831-2022*** titled as ***Hansa Singh vs. State of Punjab.***

5. Keeping in view the facts and circumstances of the case, no ground for handing over the investigation, as sought by the petitioner, which warrants interference by this Court, is made out. Accordingly, instant petition is dismissed.

[HARPREET SINGH BRAR]
JUDGE

14.05.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No