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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26547-2024 (O&M)
Date of decision: 24.05.2024

Kulwant Rai

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. C.M. Munjal, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondent No.2 to transfer the investigation of FIR No.30 dated 22.02.2023 under Sections 387, 354-D, 506 of the Indian Penal Code, 1860 and Section 67 of the Information Technology Act, 2000, registered at Police Station Kotwali, District Bathinda, to some other independent agency or to get the matter enquired from some senior level officer.

2. Learned counsel for the petitioner, *inter alia*, contends that son of the petitioner and respondent No.5 were studying in a college and they came in contact in the year 2010 and ultimately, they decided to marry each other. For



12 years, the relationship between them was perfect, but in February, 2023, parents of respondent No.5 opposed to their relationship. In the panchayat convened in June, 2020, son of the petitioner and his family apologized and assured not to follow and pressurize respondent No.5. After some time, son of the petitioner again started following respondent No.5 and threatened her to ruin her life, if she will perform marriage with any other person. In October, 2021, panchayat was again convened and the petitioner apologized in front of panchayat. After some time, when son of the petitioner came to know about fixing of marriage of respondent No.5 with their common friend, namely Harshit Bansal, he again started sending messages and pressurizing her to marry with him. With these averments, on the complaint moved before the jurisdictional police authorities, FIR (*supra*) has been registered. It is further contended that son of the petitioner has been involved in the FIR (*supra*) only on the basis of suspicion and there is no evidence regarding his involvement in the commission of offence.

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 High Courts, while exercising its inherent powers under Section 482 Cr.P.C., can issue directions for prompt and proper investigation, however, it would be out of bounds to instruct the investigation to be completed in a certain time frame, in alignment with the opinion expressed by



it. The Courts must be conscious of its influence and not exercise the same in an unwarranted fashion as it may prejudice the conclusion of the investigating agency, straying further away from achieving the overarching goal of justice.

5. The main ground taken in the present petition is that the matter is still under investigation and the local police, especially the Investigating Officer, under the pressure of one Chander Parkash Goyal, who is resident of near Bahia Fort, Mall Road, Bathinda, is an influential person and is extending threats and calling the petitioner and his son by using filthy language and also threatened to exploit the female members of his family, by bringing anti-social elements to his house.

6. In view of the facts and circumstances of the case and only on the basis of bald allegations levelled by the petitioner, this Court is not inclined to transfer the investigation of FIR (*supra*). Accordingly, present petition is dismissed being bereft of any merit.

[HARPREET SINGH BRAR]
JUDGE

24.05.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No