

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

207

2024:PHHC:018446
CWP-7950-2017 (O&M).
Date of Decision: 07.02.2024.

DR. VINOD KUMAR

..Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

.. Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Parvez Chaudhary, Advocate,
Ms. Hargun Sandhu, Advocate and
Mr. Kunal Sharma, Advocate, for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab, assisted by
ASI Parveen Kumar, 509/Jalandhar.

Mr. Deepak Sabherwal, Advocate,
for the respondent No.5/CBI.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present writ petition is for seeking transfer of investigation in FIR bearing No.29, registered on 20.02.2017, under Sections 420 and 120-B of the Indian Penal Code, 1860, at Police Station, Division No.3, Jalandhar City, to an independent agency.

Learned counsel for the State-respondents, on instructions from ASI Parveen Kumar, submits that the investigation in the FIR is already complete and a cancellation report has been filed by the respondents before the Illaqa Magistrate, Jalandhar on 03.11.2023. It is further submitted that notice has also been issued to the petitioner-complainant and the same is now listed for 27.02.2024 before the Additional Chief Judicial Magistrate, Jalandhar.

Since the investigation in the above said FIR has already been concluded and the final report under Section 173 of the Code of Criminal

Procedure, has been filed before the Illaqa Magistrate, Jalandhar, by the respondent-Investigating Agency, the petitioner has his efficacious remedy to file his objections before the Illaqa Magistrate, as such, no further directions are required to be issued. Even otherwise, it is noticed that the matter was being repeatedly adjourned on the request of the petitioner since 20.09.2018. The said aspect was noticed by this Court in its order dated 18.10.2023 when last opportunity was granted to the petitioner to advance arguments. A request has been made again for seeking a pass over instead of advancing arguments. It seems that the above said request is merely perpetuated by an intent to delay the adjudication of the present petition. The same is not acceded to.

The present petition is accordingly dismissed, at this stage, with liberty to the petitioner to take all his pleas before the Illaqa Magistrate where the final report under Section 173 of the Code of Criminal Procedure, is pending.

February 07, 2024.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
Whether speaking / reasoned :	Yes / No
Whether reportable :	Yes / No