



**122 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-19125-2025

Date of Decision: 07.04.2025

Gurcharan Singh

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ajay Pal Singh Gill, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to respondents No.1 and 2 to transfer the investigation of the case FIR No.28 dated 25.06.2024 under Sections 302 and 34 IPC, registered at Police Station Nandgarh, District Bathinda to Crime Branch/higher official of the rank of the above Deputy Superintendent of Police or to Special Investigation Team.

It has been submitted by learned counsel for the petitioner that the petitioner is the complainant at whose behest the said FIR was registered, however, the Investigating Agency is intentionally not proceeding with the investigation.

Notice of motion.

Mr. Tarun Aggarwal, Sr. DAG, Punjab, accepts notice on behalf of the State and Mr. S.S. Bhinder, Advocate accepts notice on behalf of respondent No.5.

On instructions from Inspector Sandeep Singh, learned State counsel has submitted that after investigation, cancellation report has been prepared in this case and the same would be presented before the concerned Illaqa Magistrate within a period of two weeks from today. He submits that the



cancellation report has been prepared primarily on the ground of jurisdiction.

After hearing learned counsel for the parties, it is deciphered that the Investigating Agency has already recommended cancellation in this case, however, the same is yet to be presented. Hence, the present petition is disposed of with a direction to the Investigating Agency to present the cancellation report before the concerned Illaqa Magistrate within a period of two weeks from today and thereafter, the Court concerned would proceed with the same after hearing the complainant and would take necessary decision in accordance with law.

07.04.2025
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE