

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

Dated:-18.08.2025

.....PETITIONER

VERSUS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Additional AG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This is Petition u/s 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (Hereinafter, referred to as BNSS) with a prayer for the issuance of direction to the respondents to transfer the investigation from Respondent No.1 to an independent agency, i.e. Respondent No.3-Central Bureau Investigation with necessary directions Respondent No.3 to conduct fresh investigation fairly and impartially in case FIR No. 0630 dated 04.10.2024 under Section 115, 190, 191(3) and 324(4) of the Bharatiya Nyaya Sanhita, 2023; Police Station Krishna Gate, Thanasar, District Kurukshetra (Annexure P-1).

Affidavit dated 01.08.2025 of Nitish Agarwal IPS,
Superintendent of Police, Kurukshetra has been filed on behalf of
respondent-State. The same is taken on record.

The relevant paras of the said affidavit reads as under:

“3. That in compliance of order dated 29.05.2025 the answering respondent no.4 has constituted SIT team under supervision of Sh. Randhir Singh, HPS, DSP Ladwa, District Kurukshetra. The SIT team investigated the matter in fair manner and arrested the accused, namely, Gurmeet Singh alias Meet son of Joginder Singh resident of Village Jhinverheri, Police Station Jhansa, District Kurukshetra and accused, namely, Sachin Yadav son of Shiv Bahadur resident of Akash Nagar Salarpur Road near BR International School Kurukshetra, District Kurukshetra were arrested on 11.07.2025. During investigation of the present case they have admitted their crime by making their disclosure statements voluntarily. The accused, namely, Gurmeet Singh alias Meeta has got recovered bamboo stick used in the crime and accused Sachin Yadav got recovered the car bearing registration No.HR10AG-6065 used in the present crime. The above named accused Gurmeet Singh alias Meet has disclosed the name of other accused persons in his disclosure statement and copy of the same is enclosed herewith as Annexure R-1 for kind perusal of this Hon'ble Court.

4. That during investigation of the present case the accused, namely, Rajesh Kumar son of Duli Chand resident of House no.1964 Jaat Mohalla near New Grain Market Ismailabad, Police Station Ismailabad, District Kurukshetra and accused, namely, Gurdarshan Singh son of Karnail Singh resident of Village Dhanoda, Police Station Sadar Ambala, District Ambala were arrested in the present case on 12.07.2025. The accused-Rajesh Kumar has got recovered bamboo stick and accused Gurdarshan Singh has got recovered wooden stick. The accused, namely, Suresh Kumar son of Prem Chand resident of Village Chanalheri, Police Station Ismailabad, District Kurukshetra was arrested in the present case on 16.07.2025 and he has recovered wooden stick used in the present crime. The above named accused also demarcated the place of incident. The respondent no.6- Sahil Sudha was also joined in investigation of the present case but he was found innocent.

5. That total accused person in the present case are 05 and all accused persons were arrested in the present case. However, as per direction of Hon'ble High Court the person, namely, Rajesh Kumar son of Bharat Singh resident of Village Khaspur, Police Station K.U.K. District Kurukshetra, Sunil Kumar son of Diwari Lal resident of House no.200 Ward no.18, Patiala Bank Colony Kurukshetra. District Kurukshetra and Rahul son of Mahender Singh resident of Village Barna, Police Station K.U.K. District Kurukshetra were joined in investigation of the present case and

during investigation the above named person Rajesh Kumar son of Bharat and Sunil Kumar have stated that they were not present at the time of quarrel and Rahul has stated that he has firstly shifted the complainant Manish Kumar in LNJP Hospital Kurukshetra and after that he has admitted him in Anand Hospital Kurukshetra.

6. That the FIR no.631 dated 04.10.2024 under Section 61- 4-20 of Excise Act and 223-A BNS registered at Police Station Krishna Gate Thanesar, District Kurukshetra was also registered against the petitioner.

7. That police already investigated the matter in fair manner and challan under Section 193 BNSS will be submitted before the learned trial Court but inspite of that petitioner has filed the present petition before this Hon'ble Court with mala fide intention to waste the precious time of this Hon'ble Court, hence petition of the petitioner is liable to be dismissed.”

In light of the above affidavit, which clearly depicts that the investigation is complete, and in view of the assurance given by the learned State counsel, this Court is satisfied that the challan will be presented expeditiously.

Learned counsel for the petitioner does not want to press the instant petition at this stage, with liberty to avail appropriate remedy at the time of filing of challan.

In view of the above, the present petition is disposed of, as not pressed at this stage with the liberty aforesaid.

(SANDEEP MOUDGIL)
JUDGE

18.08.2025
jatin

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>