

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2025:PHHC:155800



CRM-M-34562-2025 (O&M)
Date of decision: 10.11.2025.

HANSA SINGH (SINCE DECEASED) THROUGH LRS
...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS
...Respondent(s)

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

PRESENT Mr. Tarun Singla, Advocate,
for the petitioner(s).

Mr. Saurav Verma, Addl. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

Seeking transfer of investigation in case bearing FIR No.12 dated 21.02.2025, under Sections 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Maur, District Bathinda, to Crime Branch, Punjab or some other impartial Gazetted Officer outside Sub Division Maur, District Bathinda, the instant petition has been filed.

Learned counsel appearing on behalf of the petitioner contends

that the cancellation report in the present case had been filed by the investigating agency, however, the Illaqa Magistrate, noticing various shortcomings in the investigation, sent the matter back to the Investigating Agency for further investigation. He contends that the Investigating Agency at the relevant point in time chose not to collect the essential evidence, hence, the matter was remanded. He contends that he would be satisfied at this stage in case the further investigation, pursuant to the order passed by the Illaqa Magistrate is undertaken by some other officer outside the jurisdiction of Sub Division Maur, District Bathinda.

Learned Addl. Advocate General, Punjab, submits that even though there is no basis for the apprehensions expressed by the petitioner, however, for the sake of fairness in investigation and to restore the faith of the petitioner in the entire process it would be in fitness of things in case the investigation is conducted by some other officer outside the jurisdiction of Sub Division Maur, District Bathinda.

The present petition is accordingly disposed of at this stage without commenting on the merits of the case with a direction to the respondent-State of Punjab, to assign further investigation in the aforesaid FIR pursuant to the order dated 06.09.2025 passed by the Judicial Magistrate First Class, Talwandi Sabo to some other officer outside the jurisdiction of Sub Division Maur, District Bathinda.

November 10, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No