



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

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CRM-M-58719-2025 (O&M)

Date of Decision: 19.11.2025

JATINDER SINGH**....Petitioner**

Versus

STATE OF PUNJAB AND OTHERS**....Respondents****CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

Present:- Ms. Riffi Birla, Advocate for the petitioner.

Mr. Ravinder Singh, DAG Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. The present petition is filed under Section 528 BNSS seeking directions to respondent No. 2 to transfer the investigation in FIR No. 114 dated 24.08.2025, registered under Section 106 BNS at Police Station City Jalalabad, District Fazilka (Annexure P-1), from the local police to an independent agency such as the Central Bureau of Investigation or Special Investigating Team (SIT), to ensure a fair and impartial investigation.

2. As per pleadings, the FIR against the petitioner was registered on false and fabricated allegations at the instance of respondent No. 5, who having political influence over the local police, got the complainant's signatures on blank papers under the pretext of releasing the dead body to the family of the deceased. When the petitioner reported the misconduct of respondent No. 4 and certain other police officials, the police recorded his supplementary statement and added offences under Sections 103(1)/3(5) BNS vide DDR No. 32 dated 24.08.2025 (Annexure P-2). However, the



and the investigation remains biased, showing that a fair inquiry cannot be expected from the local police.

3. The petitioner has also moved a representation dated 04.09.2025 to respondent No.2-Senior Superintendent of Police, Fazilka in this regard on which no action has been taken till date.

4. The grievance now raised is that there is no headway in the investigation on the petitioner's complaint and no action is being taken against the respondent No.5 by the police officials. It is pleaded that respondent Nos.4 and 5 are hand-in-glove with each other as respondent No.4 himself is a police official, hence the investigation should be transferred to some independent agency.

5. It is settled law that transfer of investigation should be done in exceptional cases. In the present case transfer is being sought merely on a bald statement that respondent No.5 is hand-in-glove with the local police authorities. This allegation is based on conjecture and surmises. Nothing has been produced on record to substantiate the above said claim. Hence, no case is made out for transfer of investigation.

6. The Supreme Court in ***Sakiri Vasu v. State of U.P. and others***, **2008 AIR (SC) 907** held as under:-

“27. As we have already observed above, the Magistrate has very wide powers to direct registration of an FIR and to ensure a proper investigation, and for this purpose he can monitor the investigation to ensure that the investigation is done properly (though he cannot investigate himself). The High Court should discourage the practice of filing a writ petition or petition under Section 482 Cr.P.C. simply because a person has a grievance that his FIR has not been registered by the police, or after being registered, proper investigation has not been done by the police.



For this grievance, the remedy lies under Sections 36 and 154(3) before the concerned police officers, and if that is of no avail, under Section 156(3) Cr.P.C. before the Magistrate or by filing a criminal complaint under Section 200 Cr.P.C. and not by filing a writ petition or a petition under Section 482 Cr.P.C. 28. It is true that alternative remedy is not an absolute bar to a writ petition, but it is equally well settled that if there is an alternative remedy the High Court should not ordinarily interfere.”

(emphasis supplied).

7. For the redressal of the grievance of the petitioner that there is no headway in the investigation of the FIR, the petitioner has an alternative remedy. No case is made out for interference by this Court under Section 528 BNSS at this stage.

8. The petition is dismissed.

9. Needless to say, if the petitioner has any threat perception he is given the liberty to approach the appropriate authorities who shall take action as per law.

19.11.2025

Mohit Bishnoi

(RUPINDERJIT CHAHAL)
JUDGE

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