



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

04

CRM-M-5610-2026

Reserved on: 10.03.2026

Pronounced on; 12.03.2026.

SUKHPAL SINGH

..... PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. M.S. Kathuria, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

SURYA PARTAP SINGH, J.

1. By invoking the extra-ordinary jurisdiction vested in this Court by virtue of Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, hereinafter being referred as "BNSS", the present petition has been filed by the petitioner for quashing of Inquiry Report prepared during the course of investigation of the case pertaining to FIR No.73 dated 08.04.2025. The above-said FIR has been lodged for an offence under Sections 406, 420 of Indian Penal Code and Section 13 of Punjab Travel Professional Act, 2014, Police Station City Sangrur, District Sangrur.



2. Briefly stating the facts emerging from record are that, that with regard to commission of above-mentioned offence, the FIR was lodged by the complainant/petitioner, hereinafter being referred to as petitioner only, against the accused 'Sanjeev Kumar Bhatia' and others and in the above-mentioned case the investigation is in progress.

3. Heard.

4. It has been contended on behalf of petitioner that during the course of investigation without any justification and without giving an opportunity to the petitioner, of being heard, an inquiry has been ordered by the Director General of Police, Punjab, and that the new inquiry officer has conducted the inquiry by minutely looking into the evidence in the same manner as if the trial is being conducted by him. According to learned counsel for the petitioner the newly appointed inquiry officer after conducting inquiry in an illegal manner, has proposed for cancellation of the case, and that before doing so, he did not join the petitioner in the inquiry. The learned counsel for the petitioner has further contended that the Inquiry Report has already been recorded in the police diary, and that the above-mentioned Inquiry Report is bound to adversely impact the outcome of investigation, and will cause prejudice to the rights of the petitioner.

5. It addition to above, the learned counsel for the petitioner has also contended that one of the most glaring defect in the process adopted by the police authority is that, that order for transfer of inquiry has been passed on the application of a third person, who is stranger to the dispute between



the petitioner/complainant and the accused. While claiming that an altogether illegal procedure has been adopted by the police authority, the learned counsel for the petitioner has sought the intervention of this Court. He has urged for a direction for proper investigation of the case and also for setting aside of above-mentioned Inquiry Report, recorded vide Zimni No.13 dated 20.11.2025.

6. The record has been perused carefully.

7. A perusal of record shows that the order for transfer of inquiry has been passed by a competent authority. No dispute has been raised by the petitioner with regard to the authority of the police officer, i.e. Director General of Police, who transferred inquiry to some other jurisdiction. The above-mentioned inquiry has been got conducted by a high ranking police officer, during the course of investigation, and therefore, by any stretch of imagination, it cannot be observed that the inquiry, during the course of investigation, is contrary to the provisions of law. In the present case the Final Report before the Court is yet to be filed, and before the filing of Final Report, if the Investigating Agency is trying to dig out the truth, no fault can be attributed to the Investigating Agency.

8. In the present case, the learned counsel for the petitioner has failed to point out which right of the petitioner has been infringed by digging out the truth by an Inquiry Officer, who has been appointed by a competent authority. Simply because the outcome of inquiry does not suit to the petitioner, does not mean that the inquiry itself is illegal.



9. In the present case, it is also relevant to mention here that once a discretion has been exercised by a competent authority for transfer of inquiry, this question pales into insignificance at whose instance, the above-mentioned transfer order was passed. In fact the Director General of Police is authorized to transfer any enquiry/investigation, suo moto, if he has reasons to believe that the transfer will serve the ends of justice. Thus, it is hereby held that the transfer of inquiry by the competent authority at the instance of third party is not illegal, *ipso facto*.

10. As a sequel to above-mentioned observations, it is hereby observed that no ground to maintain the present petition is made out and the present petition being devoid of merits, deserves dismissal. Hence, the same is hereby *dismissed*, accordingly.

(SURYA PARTAP SINGH)
JUDGE

12.03.2026
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Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No