

2026:PHHC:036417



CRM-M-12552-2026 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(159)

CRM-M-12552-2026 (O & M)

Date of decision: 10.03.2026

(Through VC)

Sidharth Singh Baidwan and anr.

..... Petitioner(s)

V/s

State of Punjab and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Maninder Arora, Advocate with
Mr. Harmeet Singh, Advocate, for the petitioners.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Prateek Gupta, Advocate, for the respondent-CBI.

Mr. P.S. Ahluwalia, Sr. Advocate,
with Mr. Jaiveer Singh, Advocate and
Mr. H.S. Randhawa, Advocate, for respondents No. 10 to 12.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 528 BNSS (Section 482 Cr.P.C.) is for transfer of the investigation of FIR No.87 dated 09.07.2025 under Sections 335, 336, 338, 340, 318 and 61 BNS (Sections 465, 467, 468, 471, 420 and 120-B IPC) registered at Police Station Banur (Annexure P-20) to the CBI for impartial, fair and proper investigation.

The learned counsel for the petitioners contends that the investigation has not been conducted in a fair and impartial manner and therefore, the same be handed over to the CBI.

The learned Senior counsel for respondents No.10 to 12, on the other hand, contends that the cancellation report and the protest petition are

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pending adjudication and therefore, the present petition is not maintainable at this stage.

I have heard the learned counsel for the parties.

The facts would reveal that an FIR No.87 under Sections 335, 336, 338, 340, 318 and 61 BNS (Sections 465, 467, 468, 471, 420 and 120-B IPC) Police Station Banur was registered on 09.07.2025. A cancellation report was submitted thereon on 16.09.2025. The petitioners also preferred a private complaint. The cancellation report and the private complaint have been tagged together and are pending adjudication. Meanwhile, the petitioners approached this Court by way of a criminal miscellaneous petition i.e. CRM-M-58013-2025 seeking investigation by the CBI. A co-ordinate Bench of this Court vide order dated 15.10.2025 found that as the cancellation report and the private complaint were pending adjudication, the petition seeking CBI investigation was not maintainable at that stage as the petitioner had not availed their remedies in accordance with law. Meanwhile, the petitioner moved an application for CBI investigation before the Court of the Judicial Magistrate Ist Class, Mohali which application was dismissed on 07.01.2026.

As on date, both the private complaint preferred by the petitioners and the cancellation report submitted by the investigating agency are pending adjudication before the Court of concerned Illaqa Magistrate, SAS Nagar. Therefore, at this stage, the question of referring the investigation of the FIR in question to the CBI does not arise once the concerned Court is already seized of the matter.

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Therefore, I find no merit in the present petition and the same stands dismissed.

The pending application(s), if any, shall stand disposed of accordingly.

March 10, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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