



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

**CRM-M-18549-2026
Date of decision: 11.05.2026**

SARWAN GAUTAM

....Petitioner

Versus

STATE OF PUNJAB AND ORS.

....Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. J.S. Moudgill, Advocate
for the petitioner.

Mr. Rohit Hans, DAG, Punjab.

H.S. GREWAL, J (Oral):

1. Petitioner has filed the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for entrustment of investigation arising out of FIR No.211 dated 12.12.2025, registered under Section 103 of the BNS, 2023 at Police Station Salem Tabri, District Ludhiana (Annexure P-3), to an independent agency or to some higher police official, alleging that dubious role was played by respondent No.4 who subjected the petitioner to gross persecution and harassment and, therefore, no free, fair, impartial and unbiased investigation can be expected at the hands of such vested interests. A further prayer has also been made for issuance of appropriate directions for fixing accountability and taking stringent action against the erring officials who allegedly failed to conduct a proper and fair investigation in the aforesaid FIR.

2. Learned counsel for the petitioner submits that the petitioner is



brother of deceased Surya Rekha, whose marriage was solemnized with Yashwant on 28.11.2010 and out of the said wedlock, three children were born. Due to temperamental differences, the couple got separated and said Surya Rekha started residing separately. Thereafter, respondent No.5 came in contact with said Surya Rekha and developed relations with her. He points out that respondent No.5 developed physical relation with said Surya Rekha and in this regard, she lodged a complaint against respondent No.5 on 05.11.2024. Thereafter on 12.12.2025, again respondent No.5 and Surya Rekha (since deceased) took a room on rent in Indo American hotel where she was lying dead and aforesaid FIR was registered against respondent No.5. It is contended that police of P.S Salem Tabri is not conducting fair and impartial investigation in this case, hence the present petition.

3. Learned State counsel has pointed out that, in the present case, the challan has already been presented on 18.04.2026.

4. Heard. Documents perused.

5. Without commenting upon the merits of the case and taking note of the facts enumerated in the present petition, present petition is disposed of with the observation that the petitioner may raise all the pleas made before this Court before the learned trial Court, which shall look into the matter and decide the matter, in accordance with law.

(H.S. GREWAL)
JUDGE

11.05.2026
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |