

WPCRL No. 1396 of 2017

U.C.Dhyani, J.

Mr. S.K.Mandal, Advocate, present for the writ petitioner.

Mr. S.S.Adhikari, learned AGA, present for the State/respondents no. 1 to 3.

By means of present writ petition, the petitioner seeks following relief, among others:

“Issue a writ, order or direction in the nature of mandamus directing and commanding the respondents to transfer the investigation of FIR No. 177 of 2016, under Sections 147,148,323,325,307,504,506 of IPC, PS Gadarpur, District Udham Singh Nagar to the C.B.C.I.D., Special Investigation Team, Senior Officer of the other Police Station outside the district or any other independent agency of investigation for proper and fair investigation.”

After arguing the writ petition at some length, learned counsel for the petitioner confined his prayer only to the extent that the S.S.P. Udham Singh Nagar be directed to change the Investigating Officer of the case.

Learned counsel for the State has no serious objection to such prayer of learned counsel for the petitioner.

Learned counsel for the petitioner also seeks a direction from this Court that a direction be given to complete the investigation without unnecessary delay.

Writ Petition is disposed of with the consent of learned counsel for the petitioner & State by directing the SSP, Udham Singh Nagar to change the Investigating Officer of the case. By directing such change, no aspersions are being cast on the integrity or efficiency of the present Investigating Officer. The new I.O. concerned is directed to complete the investigation of the case in terms of sub section (i) of Section 173 Cr.P.C. in a fair and impartial manner.

(U.C.Dhyani, J.)

31.08.2017