

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

**C.R.M-M No.37636 of 2015
Date of Decision : 03.11.2015**

Dr. Gorav Gupta

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gagan Chhabra, Advocate &
Ms. Richa Narang, Advocate
for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This petition has been filed for quashing of FIR No.29 dated 01.02.2014 registered under Sections 328, 406, 420, 467, 468, 471, 120-B, 34, 323, 506 IPC, at Police Station DLF Phase-I, Gurgaon and all consequential proceedings arising therefrom on the basis of compromise.

The gravamen of the charges in the FIR is that the wife of the complainant somehow got him dependent on drugs and then manage to keep him in different mental hospitals and at one stage got an illegal power of attorney and sold the property of the complainant. Thereafter the complainant was admitted to Tulasi Home (which is a Half Way Home run by the petitioner) and during his stay of about six months over there he was

counselled and treated to the best of the ability of the institution with the consent of his wife and parents. However, in the complaint the bald allegation made is that the complainant was detained against his wishes.

After arguing for some, learned counsel for the petitioner states that he would not press this petition on merits but in this connection the petitioner has moved representation dated 20.07.2015 (Annexure P-8) (followed by certain further materials) to the Commissioner of Police, Gurgaon and prays that the Commissioner of Police, Gurgaon be directed to personally look into the facts and circumstances of the case or direct a senior officer to do so, so that the entire picture of the state of the complainant in the Half Way Home run by the petitioner can be clarified and so as to avoid a mechanical arraignment of the petitioner without due application of mind.

I find this to be a fair submission. For the limited relief that I am proposing to grant to the petitioner, I do not deem it appropriate to issue notice to respondent No.2.

Notice of motion only qua respondent No.1-State.

On the asking of the Court, Ms. Tanushree Gupta, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent No.1.

Learned counsel for the petitioner undertakes to supply two copies of the petition to the learned D.A.G. during the course of the day.

Learned Deputy Advocate General is requested to forward one copy of the petition alongwith a copy of this order to the Commissioner of

Police, Gurgaon. The Commissioner of Police, Gurgaon is directed to either look into the matter personally or depute some senior officer to look into it and then take appropriate action as per law.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

A copy of this order be also given to the learned Deputy Advocate General under the signatures of the Bench Secretary.

November 03, 2015
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(AJAY TEWARI)
JUDGE