

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CRM No.M-19409 of 2018

Date of decision:8.5.2018

Aafak Hussain

... Petitioner

versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Saleem Ahmed, Advocate, for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

The contention of the petitioner is that the FIR registered against him is a counter blast to the FIR registered against various persons at the instance of his brother on 6.5.2017, alleging therein the commission of offences punishable under Sections 217/380/409/457 IPC.

In respect of his grievance, the petitioner is shown to have made a representation to the Superintendent of Police, Nuh, (respondent no.2), dated 9.1.2018.

Learned counsel for the petitioner submits that at the time when the alleged offence is stated to have taken place as per the FIR registered against the petitioner (copy Annexure P-1), on 26.9.2017, he was on duty; he being a Police Constable.

Consequently, this petition is disposed of with a direction to respondent no.2, i.e. the Superintendent of Police, Nuh, to go into the matter and to ensure that action is taken as per law only, with regard to those *prima facie* at least found indulging in the commission of any cognizable offences.

Obviously, the correctness or otherwise of the contention that the petitioner was on duty at the relevant time, would be gone into thoroughly, by the Superintendent of Police.

It is made clear that this Court has not made any observation at all with regard to the correctness or otherwise of the contents of the petition or the representation, which would all be gone into by the Superintendent of Police.

The needful be done within a period of 1 month from the date of receipt of a certified copy of this order.

8.5.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No