

239 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23515-2017(O&M)

Date of decision:19.12.2018

Sandeep Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: None for the petitioner.

Mr. Vijesh Sharma, DAG, Haryana
for respondents No.1 to 4

Mr. Gaurav Sethi, Advocate
for respondents No.5 to 7.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition filed under Section 482 of Code of Criminal Procedure is for directing the official respondents No.2 to 4 to protect the life and liberty of the petitioner and his family member from the hands of the private respondents No.5 to 7.

Notice of motion was issued, vide order dated 05.07.2017.

Pursuant to that, the State has filed reply by way of affidavit of Superintendent of Police, Ambala.

In the reply, it has been stated as under:-

“That as per enquiry report dated 12.08.2017, all the complaints moved by the petitioner were totally false and it was also found that there is no danger or threat to life and liberty of the petitioner and his family members from the respondents Nos.5 to 7 and petitioner Sandeep Kumar is only trying to interfere in the possession of accused Shish Ram, who is handicapped Ex-Serviceman and therefore relief sought by the petitioner is not tenable keeping in view of the facts and

circumstances of the case and the present case is misuse of the process of law and the petition may kindly be dismissed with heavy cost.”

So far as the FIR No. 119, dated 11.04.2017 registered under Sections 379, 427 of IPC at Police Station Naraingarh, District Ambala is concerned, learned State counsel, on instructions from HC Biccha Ram, submits that the challan has already been filed against the accused in this case. Therefore, otherwise also there is no possibility of the petitioner being threatened to withdraw this complaint.

In view of the above, the present petition is rendered infructuous.

Dismissed as such.

(RAJBIR SEHRAWAT)
JUDGE

19.12.2018
Hemlata

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