

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-1434-2018 (O & M)

Date of decision: 22.10.2018

Musunuri Ramakrishna

.... Petitioner

V/s

State of Haryana and anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Saurabh Sharma, Advocate,
for Mr. Ferry Sofat, Advocate, for the petitioner.

Mr. Vishal Garg, Addl.A.G., Haryana.

Mr. R.S. Dhull, Advocate.

RAJAN GUPTA , J. (Oral)

Petitioner has posed a challenge to a notice issued to him under Section 160 Cr.P.C. asking him to appear before investigating officer pursuant to a case registered vide FIR No.409 dated 01.12.2017 under Sections 420/406 IPC at Police Station Badshahpur, Gurgaon, Haryana.

It appears that FIR was registered against one K. Shambha Shiva Rao and his company wherein it was alleged that accused had committed a fraud with the complainant. Petitioner was summoned by the investigating officer in exercise of power under Section 160 Cr.P.C., which empowers him to require attendance of witnesses.

A perusal of the provision under Section 160 Cr.P.C. shows that any police officer conducting an investigation may by order in writing, require the attendance before himself of any person being acquainted with the facts of the case within the limits of his own or any adjoining station.

Mr. Garg, learned State counsel, submits that grievance of the petitioner shall be examined by concerned Deputy Commissioner of Police, Gurgaon.

In view of statement made by learned State counsel, learned counsel for the petitioner submits that he may be allowed to withdraw this petition at this stage.

Dismissed as withdrawn.

October 22, 2018
sukhpreet

(RAJAN GUPTA)
JUDGE

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