

272.

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

CRM-M-28623-2018

Date of decision: 09.12.2019

RADHEY SHYAM

... Petitioner

versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Manish Soni, Advocate, for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for withdrawing the investigation of FIR No.1032 dated 29.10.2017 registered under Sections 304-B/316 of IPC at Police Station Sadar, Gurugram, District Gurugram, from the purview of District Gurugram and to entrust the same to the police of some other district or in the alternative to the Crime Branch of State of Haryana or any other independent investigating agency.

Learned State counsel, while inviting attention of this Court to the reply filed by way of affidavit of Inderjeet, HPS, Assistant Commissioner of Police, Sadar, Gurugram, on behalf of respondents No.1 to 3, has submitted that after completion of investigation, challan was presented against the accused Mohit on 23.01.2018 and now trial is pending before the Additional Sessions Judge, Gurugram for prosecution witnesses. The charge has already been framed on 05.05.2018. She further states that out of 15 witnesses cited by the prosecution, 8 witnesses have already been examined.

At this stage, counsel for the petitioner seeks permission to withdraw the present petition, however, with liberty to avail the remedy(s) as available under law.

Dismissed as withdrawn with liberty aforesaid.

(HARI PAL VERMA)
JUDGE

09.12.2019
sanjeev

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