

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-36343-2017 (O&M)

Date of decision: 06.02.2019

Balbir Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Anshul Mangla, Advocate for the petitioner.

Mr. Raj Kumar Makkar, Sr. DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Learned State counsel has filed copy of order dated 05.12.2018 of the Additional Director General of Police, Ambala Range, Ambala Cantt. The same is taken on record. Be tagged at the appropriate place. A copy thereof, be supplied to learned counsel for the petitioner.

Learned State counsel submits that the instant petition has rendered infructuous, because as per aforesaid order dated 05.12.2018, earlier during investigation, the persons upon whom the petitioner had raised suspicion were interrogated and their polygraph test was also got conducted, but nothing could be found against them. Thereafter, in compliance of the order dated 17.10.2018 of this Court, the Inspector General of Police, Ambala Range, looked into the grievance of the petitioner relating to transfer of investigation to some independent agency, who, vide his enquiry report, submitted that the petitioner and complainant-Ram Kumar, were issued notices to come present before him

and put forth their grievance on 30.10.2018 at 11.00 AM. But petitioner did not come forward. Therefore, again, vide letter No. 20393/Reader dated 19.11.2018, Inspector General of Police, Ambala Range, directed the petitioner and complainant-Ram Kumar, through Superintendent of Police, Yamuna Nagar, to come present in his office on 26.11.2018, but they did not attend his office, nor produced any evidence proof relating to their assertion. The petitioner and Ram Kumar-complainant, were also contacted through their mobile phone Nos. 70158-45237 and 99910-84475, respectively, but petitioner-Balbir Singh, showed his inability to come present, on the ground that he was posted in Kolkata and would come on leave in the month of December and thereafter, he can appear before him. Consequently, he (Inspector General of Police) himself called for the record, scrutinized the same and satisfied with the investigation conducted twice.

In view of the above, order dated 27.09.2017, restraining the police to file cancellation report is recalled. The respondent-State is directed to do the needful, as required, in accordance with law.

The instant petition stands disposed of, accordingly.

February 06, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No