

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M No.46876 of 2018 (O&M)

Date of Decision: January 21, 2019.

Virender

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU.

Present: Mr.Sanjeev Kumar Birla, Advocate, for the petitioner.

Mr.Rahul Mohan, DAG, Haryana, for respondent Nos.1 to 5.

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Mahabir Singh Sindhu, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for issuing a direction to the official respondents to hand-over investigation of FIR No.254 dated 14.07.2018, registered at Police Station Kanina, District Mahendergarh, under Sections 323, 506 IPC and Section 3 of the Schedule Caste and Schedule Tribe (Prevention of Atrocities Act), 1989, to respondent No.2 or to some other independent investigating agency.

Notice of motion was issued by this Court on 23.10.2018.

Reply by way of affidavit of Sh.Vinod Kumar, HPS, Deputy Superintendent of Police (HQ), Narnaul, has been filed, which is taken on record. Copy supplied to opposite side.

A perusal of preliminary objection No.2 of the affidavit reveals that in the above mentioned FIR, accused-Sandeep Kumar (respondent No.6) was arrested on 23.10.2018.

Learned State counsel, on instructions from Mr.Amarjeet, Head Constable, submitted that after conducting due investigation, the report

under Section 173 Cr.P.C. has already been submitted. Further submitted that after framing of the charges, now the case is pending for prosecution evidence.

In view of the above, no further direction is required to be issued in the matter. Consequently, the petition stands disposed off accordingly.

However, it is made clear that petitioner would be at liberty to take recourse to the remedy available under law, if so advised.

January 21, 2019

mohinder

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No