

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

**CRM-M-48463-2017
Date of decision-23.10.2019**

Manjeet ...Petitioner

Vs.

State of Haryana and others ...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Sanjay Kumar Saini, AAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner-Manjeet has filed this petition under Section 482 Cr.P.C for issuance of directions to respondent Nos.1 to 4 for conducting proper investigation in case FIR No.498 dated 20.10.2017 registered under Sections 148, 323 and 506 read with Section 149 of Indian Penal Code, 1860 at Police Station Rai, Sonipat. It is further prayed that the offence punishable under Section 307 IPC be added in the subject FIR.

Learned State counsel has invited the attention of the Court to the reply dated 11.09.2018 filed by way of affidavit of Virender Singh, HPS, DSP, Law and order, Sonipat, to contend that as the allegations contained in the FIR were not substantiated and no incriminating evidence was found against the persons named by complainant, Jaivir @ Jagbir, therefore, the cancellation report dated 06.09.2018 was prepared. He further submits that on 30.07.2017, Surender son of Om Parkash had given a complaint in the

Police Station against the petitioner and co-accused Jaivir @ Jagbir with the allegations that they alongwith other co-accused tried to commit decoity in his house and were apprehended on the spot with the help of other villagers. FIR No.391 dated 30.07.2017 to this effect was registered under Sections 148, 323, 452, 285 and 506 read with Section 149 of Indian Penal Code, 1860 and Sections 25, 54 and 59 of Arms Act, 1959 at Police Station Rai, Sonipat against accused persons, namely, Manjeet, Rajesh and Jaivir @ Jagbir. It is further revealed that the injuries suffered by Manjeet, Rajesh and Jaivir @ Jagbir were found to have been caused during aforesaid occurrence.

Learned State counsel has pointed out that after completion of investigation, final report under Section 173 Cr.P.C was filed in the Court on 02.12.2017 against accused Rajesh, Jaivir @ Jagbir and Manjeet (petitioner). Petitioner and his co-accused Jaivir @ Jagbir were apprehended by the victim and other villagers at the spot.

In view of the above position, as the investigation in the FIR No.498 dated 20.10.2017 is complete and cancellation report has been submitted, therefore, the present petition is rendered infructuous. However, it shall be open for the petitioner to raise his grievance before the Court at the stage of consideration of the cancellation report.

Disposed off.

(MANOJ BAJAJ)
JUDGE

23.10.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No