

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

CRM-M-48866-2017 (O&M)

Date of decision : 11.09.2019

Vimal Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Dhiman, Advocate for the petitioner.

Mr. Vikas Chopra, Deputy Advocate General, Haryana.

ANIL KSHETARPAL, J. (ORAL)

This is second petition filed by the petitioner. Previous petition bearing CRM-M-8737-2017 was disposed of by making following observations:-

“After hearing learned counsel for the petitioner as well as learned State counsel and after going through the record, I find that if the petitioner has any grievance or he feels that other persons are also involved, he can avail the remedy under Section 319 Cr.P.C. or any other appropriate remedy against those persons, who have been declared innocent. Similarly, learned counsel for the petitioner argued that the accused can give threat to the complainant side and can put pressure. Again, if there is any threat etc., the petitioner can approach the trial Court ”

Petitioner instead of filing application under Section 319

Cr.P.C., has filed fresh petition for issuing appropriate directions to the official respondents to get fair investigation conducted. It is undisputed that the final report (challan) has been filed and after framing of the charge, prosecution evidence is in progress. In other words, the trial is pending before the Court of competent jurisdiction.

In such circumstances, the present petition is disposed of by giving an opportunity to the petitioner to move an application as directed in the order dated 10.07.2017 passed in CRM-M-8737-2017.

11.09.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No