

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

**CRM-M-51814-2018
Date of decision-01.03.2019**

Rajesh Kumar

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 482 of Code of Criminal Procedure for issuance of directions to respondent Nos.2 and 3 to protect his life and liberty at the instance of respondent Nos.4 to 7.

Reply by way of affidavit of Deep Kamal, PPS, Deputy Superintendent of Police, Sub Division Kharar, District SAS Nagar on behalf of respondent Nos.1 to 3 has been filed in the Court and the same is taken on record. Copy thereof has been handed over learned counsel for the petitioner.

Paragraph Nos.3 and 4 of the reply reads as under:-

“That it is pertinent to mention here that statement of Rajesh Kumar-petitioner was recorded on 09.01.2019 and his MLR was also taken on record, which portrays infliction of five injuries on his body wherein four injuries were found to be simple in nature and injury

No.1 was kept under observation and after the X-ray report no bone injury was found.

4. That acting on the statement of Rajesh Kumar present petitioner, DDR No.29 dated 09.01.2019 was registered in Police Station City Kharar and proceedings under Sections 107 and 151 of Cr.P.C were initiated against the respondent No.6-Prince Tyagi son of Sh.Suresh Dutt aged about 29 years and Suresh Dutt-respondent No.4 and their preventive arrest has been made and produced before Sub-Divisional Magistrate, Kharar. Thus in view of the present action the grievance of the petitioner has been duly addressed by taking action against the respondent Nos.4 and 6.”

In view of the above, it is apparent that allegations made by the petitioner do not constitute commission of any cognizable offence. However, the Police has recorded the DDR No.29 dated 09.01.2019 and have taken the preventive measures by initiating the proceedings under Sections 107 and 151 of Code of Criminal Procedure.

In view of the above, the grievance of the petitioner has been redressed by acting upon the representation(s). Resultantly, petition is rendered infructuous.

Dismissed as such.

(MANOJ BAJAJ)
JUDGE

01.03.2019

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