

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

250

**CRM-M-137-2020
Date of decision: 02.03.2020**

Mohd. Imran

.....Petitioner

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Nandan Jindal, Advocate
for the petitioner.

Mr. Arun Kaundal, D.A.G., Punjab
for the respondents.

ARUN KUMAR TYAGI, J (ORAL)

Prayer in the petition filed under Section 482 of the Code of Criminal Procedure, 1973 is for issuance of direction to respondent No. 2 to personally look into the grievance of the petitioner and his family members by deciding his representation.

Vide order dated 07.01.2020, notice of motion was issued for 02.03.2020.

In compliance to the above said order, report by way of affidavit of Manjit Singh Brar PPS, Superintendent of Police, Malerkotla, District Sangrur has been filed on behalf of respondents No. 1 to 3.

In his report, Manjit Singh Brar PPS, Superintendent of Police, Malerkotla, District Sangrur has submitted as under :

“.... During inquiry, Mohd. Imran s/o Modh. Yaseen resident of Mohalla Nawab Colony, near Raikot Fataq, Malerkotla petitioner made statement before the inquiry officer that, “ I am the resident of above given address and is doing palledari in Sabji mandi Malerkotla.

My father Mohd. Yaseen is also doing the work as palledar in grain market of Malerkotla. My younger brother Mohd. Ikram is studying in Govt. College, Malerkotla. We all family members are residing together in one house. My brother Subhaan Khan @ Subhaan Pehlwan was working in the grain market with us one year ago who stopped this work due to allergy. My brother Subhaan Pehlwaan often remained out of the city for about one year and when asked by my parents he used to give threats to finish his life. On 26.11.2019, Subhaan Pehlwaan came home and we came to know that he by conniving with other persons has committed murder of Abdul Raseed @ Ghuddu S/O Mohd. Sadiq R/O Vaddi eidgah Road, Malerkotla due to which FIR No. 186 dated 26.11.2019 u/s 302/24 IPC, and 25/54/59 Arms Act, P.S. City-I, Malerkotla was registered against him. Now we have no knowledge of his whereabouts. He is not arrested in this case so far. In order to arrest him, the local Police is raiding our home and after enquiry about Subhaan Pehlwaan, the Police used to return back. The local Police has never harassed any member of our family. However, out of fear I have filed CrI. Writ petition No. 137 of 2020 in the Hon'ble High Court. However, I don't want any action on my application." True translated copy of statement is annexed as Annexure R-1/T.

4. That SHO PS City-1 Malerkotla has submitted detailed inquiry report dated 31.01.2020 duly forwarded by DSP, Sub-Division Malerkotla that during inquiry, nothing has come forward regarding harassment to Mohd. Imran present petitioner at the hands of local police and he, himself in his statement stated that FIR No. 186 dated 26.11.2019 u/s 302/34 IPC, and 25/54/59 Arms Act, P.S. City-I, Malerkotla was registered against his brother Subhaan Pehlwaan for committing murder of Mohd. Raseed @ Ghuddu. To arrest his brother Subhaan Pehlwaan, the local Police used to visit his house and after inquiry about his brother the police used to return back. He further stated that the local Police has never harassed him or any of his family member and that he does not want any action on the petition filed by him in the Hon'ble High Court as well as with regard to his representation Annexure P-2. Therefore, in view of the facts emerged during inquiry and statement of petitioner Mohd. Imran, no action is required to be taken on representation in Annexure P-2.

5. That after going through the entire record pertaining to this case as well as inquiry report of SHO PS City-1 Malerkotla duly forwarded by DSP, Sub-Division, Malerkotla and also statement made by the petitioner Mohd. Imran in which he himself stated that the local Police used to visit his house to arrest his brother Subhaan Pehlwaan in a murder case of Mohd. Raseed @ Ghuddu and after making necessary inquiry about his brother

Subhaan Pehlwaan, the local Police used to return back and the local police never harassed him or his any family member. ”

In view of the aforesaid reply, learned Counsel for the petitioner submits that the petitioner does not want to continue with the petition which may be dismissed as withdrawn.

Dismissed as withdrawn.

02.03.2020

kavneet singh

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No