

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17525 of 2020 (O&M)

Date of decision : 11.8.2020

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Saddam

.....Petitioner

vs.

State of Haryana and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Ms. Rosi, Advocate
for the petitioner.

Mr.G.S. Chhina, AAG, Punjab.

Mr. Munfaid Khan, Advocate for the complainant.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

By way of filing the present petition under Section 482 Cr.P.C., petitioner Saddam, aged about 24 years son of Haroon, resident of village Pathkhori, Tehsil Ferozepur Jhirka, District Nuh (Mewat), Haryana, craved for issuance of directions to the State of Haryana, Superintendent of Police, District Nuh (Mewat), SHO, Police Station Ferozepur Jhirka, District Nuh (Mewat), respondents No. 1 to 3, respectively, to take action against private respondents No. 4 to 7 i.e. Aashu and his sons Jabbi, Shokat and Liyakat, all

residents of village Jalalpur, Tehsil Nagina, District Nuh (Mewat), on the allegations that petitioner has been working as driver of vehicle of respondents No. 4 to 7; that they had not paid his salary for 4 months, despite asking and rather had threatened to kidnap and kill him; that on 14.6.2020, at about 8-9 A.M., when the petitioner had gone to village Rawali, for some work, he was apprehended by the private respondents and they asked for ransom of Rs.1.50 Lacs from his family members. Father of the petitioner namely, Haroon, had gone to the police station, to take action against the private respondents, but to no effect. According to the petitioner, he had been given severe beatings by the private respondents, who had snatched his Aadhaar card and cash amount and thereafter thrown him on the roadside. Petitioner was hospitalized. The police had not taken any action, as such the petitioner has approached this Court by way of filing the present petition,

Upon notice, respondents had put in appearance. As per written reply filed by the Deputy Superintendent of Police, Ferozepur Jhirka, District Nuh, in the form of affidavit, it has been submitted that an enquiry into the matter has been held by the Deputy Superintendent of Police, Ferozepur Jhirka, in terms of directions issued by this Court, during the course of which, it was found that allegations of beating the petitioner and confining him in a room were made out against the respondents, however, it was not so with regard to the allegations of kidnapping and formal FIR No. 292 dated 27.7.2020, for offences under Sections 365, 506, 34 IPC was

registered at Police Station, Ferozepur Jhirka, and it is being investigated. Copy of such enquiry report has since been attached.

Learned counsel for the petitioner concedes the fact that FIR has in fact been registered in the matter. Though she has expressed a grouse that offence under Section 323 IPC has not been added.

This petition had been filed seeking a direction to the official respondents to take action against private respondents. Since the FIR in the matter had been registered and is being investigated, the relief sought for by the petitioner has been granted and no further action in the matter is called for.

The present petition has rather become infructuous and the same stands disposed of with the observations that the Investigating Agency shall carry out the investigation in the matter, in a proper and appropriate manner, to ensure that justice is done to the all concerned in the matter.

11.8.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No