

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-6362-2020 (O&M)

Date of Decision:- 12.11.2020

Manush @ Manni

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pradeep Panwar, Advocate, for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks issuance of directions to respondents No.1 to 3 so as to safeguard his life and liberty as he apprehends threat to the same at the hands of respondent No.4 to 10. The petitioner also prays for initiating departmental action against the erring officials who have not conducted investigation properly and who according to the petitioner have lodged the FIR only in respect of offences punishable under Sections 323, 324, 506 IPC instead of offences punishable under Sections 307 and 379-B IPC which are stated to be made out from the facts and circumstances of the case.

Learned counsel for the petitioner has submitted that the victim was inflicted a large number of injuries with sharp edged weapon on various parts of his body which had to be stitched. The learned counsel in this regard has drawn the attention of this Court on various photographs annexed with the petition as Annexure P-6 which does show that the injured had sustained a large number of incized wounds.

Learned State counsel has however, informed that the investigation is complete and that challan has already been presented.

In view of the aforestated position, this Court does not find any ground for issuing any direction as regards the investigation is concerned. However, needless to mention that the trial Court at the stage of framing of charges shall look into the entire record in respect of the injuries sustained by the injured, as regards the nature and seat of injuries so as to ascertain as to whether any offence under Sections 307 or 308 IPC is also made out or not. As regards the apprehension of the petitioner pertaining to threat of his life and liberty, a direction is issued to Superintendent of Police, Panipat (respondent No.3) to look into the matter to examine the alleged threat perception. The representation dated 12.5.2020 (Annexure P-4) which was in fact addressed to IG Karnal (Range Karnal) be treated as a representation to Superintendent of Police, Panipat (respondent No.3). The petitioner would also be at liberty to move a fresh representation which shall be got duly examined and in case it is found that there is indeed a threat to the life and liberty of the petitioner, then requisite steps as warranted under law be taken thereupon at the earliest.

A copy of this order along with copy of representation (Annexure P-4) be sent to the Superintendent of Police, Panipat (respondent No.3) so as to enable him to do the needful at the earliest.

November 12, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No