

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

CRM-M-28878-2020

Date of decision : 22.09.2020

SADHU RAM

.....Petitioner

Vs.

STATE OF HARYANA AND ORS

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. H.S. Dhindsa, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

The present petition has been filed with a prayer to seek status report from respondent Nos.2 and 3 regarding FIR No.133 dated 07.06.2020 under Sections 34, 447, 506 of the Indian Penal Code, 1860 registered at Police Station, Uchana, District Jind. The further prayer is for ensuring the safety of the petitioner and his family members at the hands of respondent Nos.4 to 7 who are threatening the petitioner.

Learned counsel for the petitioner has contended that despite considerable time having elapsed, no report under Section 173 CrPC has been filed by the police and on the other hand the private respondent Nos.4 to 7 are threatening the petitioner and his family members and pressurizing them to entering into a compromise. In this regard, the learned counsel for the petitioner has contended that a representation dated 20.08.2020 (Annexure P-4) has been given to the Superintendent of Police, Jind. However, no action has been taken.

Notice of motion.

On the asking of the Court, Mr. Deepak Bhardwaj, DAG Haryana has put in appearance through video conferencing and accepts notice on behalf of the respondent-State. Learned State counsel, on

instructions from ASI Raj Kumar, has stated that the challan in the present case was filed on 06.07.2020 against four accused and, in view thereof, the present petition has been rendered infructuous.

I have learned counsel for the parties.

The first prayer made in the petition while contending that no report has been filed under Section 173 of the Code of Criminal Procedure, 1973 is rendered infructuous in view of the fact that the challan has already been filed in the present case on 06.07.2020. The further prayer in the petition is for ensuring the safety of the petitioner and his family members who are alleged to have been threatened by the private respondents with dire consequences. A perusal of the representation dated 20.08.2020 (Annexure P-4) given to the Superintendent of Police reveals that the only allegation made therein is that since after the registration of the FIR there is no investigation, hence, the accused were encouraged and extending threats daily and had even sent goons on the intervening night of 10/11.08.2020. Regarding this incident, the petitioner states in his representation to have already submitted a complaint dated 11.08.2020. No other specific incident of threats being extended by respondent Nos.4 to 7 are forthcoming in the representation.

The prayer made for filing the challan already stands addressed as challan has since been filed. In view of the above, the present petition is dismissed as having been rendered infructuous.

September 22, 2020
kv

(ALKA SARIN)
JUDGE

Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No