

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

CRM-M-34112 of 2020

DATE OF DECISION :- November 16, 2020

Poonam Sharma and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Keshav Pratap Singh, Advocate for the petitioners.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. A.P. Singh, Advocate for the complainant.

The case has been taken up through Video Conferencing.

Written response filed on behalf of the State be taken on record.

In column No. 16 it has been mentioned that both the petitioners were found innocent by Deputy Superintendent of Police, Rohtak. A note in that regard has been also appended. In the written reply in form of affidavit by Deputy Superintendent of Police this very assertion has been made in para No. 4 contending that no evidence of involvement of the petitioners could be collected, therefore, they have been got discharged during investigation and they are not required to be arrested. In para No. 5 it is contended that if any evidence come on the file, then action would be taken according to law. It has further been contended that during the course of investigation no evidence could be collected that it was not a case of suicide but that of murder.

Learned counsel for the complainant states that the investigation in this case is not being conducted properly rather the same is biased and one sided to save the accused party, however, the case in hand is in the form of petition for pre-arrest bail filed by the petitioners, the same is to be disposed of on merits; keeping in view the written response given by the State with regard to the investigation. If the complainant is not satisfied with the investigation being carried out, then he can take recourse to the remedy available to him under the law by filing a separate petition.

Learned counsel for the petitioners states that he be permitted to withdraw the present petition since it has become infructuous.

Permission is granted. The petition is dismissed as withdrawn being infructuous.

(H.S. MADAAN)
JUDGE

November 16, 2020

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No