

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

**CRM-M-42867-2019
Date of decision: 07.02.2020**

Mahender Chaudhary

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vinay Puri, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of direction to respondent Nos. 1 and 2 to file the status report in FIR No. 430 dated 26.12.2018, under Sections 379-B, 323, 34 and 506 of the IPC at Police Station Civil Lines, District Bhiwani and to transfer the investigation of the same to some other agency.

Reply, by way of affidavit DSP, Bhiwani, on behalf of respondent Nos. 1 to 4, is filed in Court today. As per reply, the aforesaid FIR was registered on the statement of petitioner Mahender Chaudhary and thereafter, the investigation was conducted by the police and statement of complainant and other witnesses were recorded. It is further stated that the said case was duly verified by the SHO/Inspector of the concerned police station and a cancellation report was prepared on 03.09.2019.

Learned State counsel, on instructions from ASI Anil Kumar, submits that after giving notice to the petitioner on 29.01.2020, the said cancellation report was approved by DSP, however, no one appeared on

behalf of the petitioner. It is also stated that on a complaint given by the wife of respondent No. 7, an FIR bearing No. 110 dated 28.12.2018, under Sections 323, 354A(2) and 506 of the IPC was lodged against the petitioner in Women Police Station, Bhiwani.

Learned State counsel further submits that as and when the petitioner appears before the SHO for the purpose of submitting the cancellation report before the Illaqua Magistrate, the cancellation report will be forwarded.

In view of the above, no further orders are called for in the present petition and the same is disposed of as status report stands filed by the DSP.

However, liberty is granted to petitioner to approach Illaqua Magistrate for the purpose of filing protest petition/complaint, if so advised.

07.02.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No