

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

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**CRM-M-1078-2021
Decided on : 01.03.2021**

Pawan Kumar

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Sandeep Kotra, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Manoj Kumar Taya, AAG, Haryana.

None for UT, Chandigarh.

MANJARI NEHRU KAUL, J. (Oral)

At the outset, learned counsel for the petitioner submits that since a cancellation report has yet again been filed by the Investigating Agency, therefore, the instant petition has been rendered infructuous and may be disposed of as such.

Ordered accordingly.

Vide order dated 21st January, 2021, the State of Punjab and UT, Chandigarh had also been put on notice, as it had come to the notice of this Court and as was also observed while issuing notice of motion that very often, the provisions of, and the procedure prescribed under the POCSO Act, 2012, which is mandatory in nature was not being followed in letter & spirit. In the circumstances, a direction is hereby issued to the Director General of Police, Punjab, Haryana and Union Territory, Chandigarh, to lay

down the Standard Operating System (SOP) consistent with the provisions of the POCSO Act, for the benefit of the Investigating Officers/subordinate staff, so that there is no miscarriage of justice. It is expected that the authorities concerned will formulate the SOP within a period of eight weeks from today and SSP/District Police Heads be informed accordingly for meticulous compliance of the above procedure. A copy of this order be sent to the Chief Secretaries of the States of Punjab and Haryana as well as to the Adviser to the Administrator, UT, Chandigarh, for strict compliance of the directive issued.

(MANJARI NEHRU KAUL)
JUDGE

March 01, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*