

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

CRWP-6126-2021

Date of decision-06.07.2021

Ravinder Singh and another

....Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohit Rathee, Advocate for the petitioners.

MANOJ BAJAJ, J.

Petitioners have filed this criminal writ petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus for directions to the official respondent Nos.1 to 5 for protection of their life and liberty from private respondent Nos.8 to 13 and for transfer of investigation in case FIR No.208 dated 09.04.2021 registered under Sections 307, 148, 149 IPC, 1860 and Sections 25, 54 and 59 Arms Act, 1959 at Police Station Samalkha, District Panipat to some independent agency.

Learned counsel for the petitioners has argued that FIR No.208 dated 09.04.2021 under Sections 307, 148 and 149 IPC, 1860 and Sections 25, 54 and 59 Arms Act, 1959 was registered at Police Station Samalkha, District Panipat at the instance of petitioner No.2 (wife of petitioner No.1), however, till date neither any arrest has been made nor any investigation has been conducted. He has further

submitted that the official respondents are pressurizing him to compromise the matter and in this regard, though he has given a representation dated 13.06.2021 (Annexure P-3) to DGP, Haryana, but no effective action has been taken upon the same till date. He submits that the private respondents are threatening the petitioners, who are forcing them to give up the liquor contract.

At this stage, learned State counsel on instructions from SI Subhash Chander stated that considering the request of the petitioners, the investigation of the case was transferred to CIA-3 Panipat w.e.f. 07.05.2021 and despite number of notices, the petitioners are yet to associate themselves with the investigation. He submits that even after the submission of representation dated 13.06.2021, notice was issued on 20.06.2021, but the petitioners are yet to appear before the concerned officer for the purposes of investigation.

Mr. Parmar, learned State counsel has not disputed this fact that petitioner No.1 had suffered a gunshot injury, however no name or particulars of the assailants have been given in the FIR, but only suspicion has been expressed upon private respondents, who according to the learned State counsel are also in the business of liquor.

After hearing learned counsel for the parties, this Court is of the opinion that at this stage, not only the investigation in the case has been transferred, but the same is still pending and the petitioners are required to associate themselves with the Investigating officer.

Learned counsel for the petitioners is unable to refute the stand of learned State counsel that despite notices, they have not appeared before the Investigating agency.

Therefore, no ground is made out for exercise of extra ordinary writ jurisdiction at this stage.

Disposed off.

06.07.2021

vanita

(MANOJ BAJAJ)
JUDGE

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