

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

**CRM-M-48426-2017 (O&M)
Date of decision: 19.03.2021**

Haraikishan

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Abhishek Jindal, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-8034-2021

Prayer in the present application under Section 482 Cr.P.C. is for preponement of the date of hearing of the main case, which is already fixed for 08.07.2021.

Notice of the application to respondents No. 1 to 4-State only at this stage.

On the asking of this Court, Mr. Karan Garg, AAG Haryana, accepts notice on behalf of the respondent-State and submits that he has no objection, if the aforesaid prayer is allowed.

In view of the above, the application is allowed and the date of hearing of the main case is preponed from 08.07.2021 to that of today and the same is taken on the Board.

Main case:

Prayer in the present petition is for issuing directions to respondents No. 1 to 4 to hand over the investigation of case bearing FIR No. 445 dated 11.07.2016 registered at Police Station Sadar Palwal, District Palwal, under Sections 302 and 34 IPC, to an independent agency and arrest the private respondents No. 5 to 20 and to submit the report after concluding the investigation within one month.

It is submitted by the learned counsel for the petitioner that initially, the FIR was registered under Sections 302 and 34 IPC and later on after investigation, Sections 302 and 34 IPC were deleted and Sections 279 and 304-A IPC were added.

Learned State counsel points out that even after making sincere efforts to trace out the vehicle as well as the accused, no clue could be found and the untraced report was prepared by the prosecution agency.

Sensing that this Court is not inclined to grant the prayer made by the petitioner, learned counsel for the petitioner wishes to withdraw the present petition with liberty to approach the appropriate authority, in accordance with law.

Dismissed as withdrawn with liberty aforesaid.

(HARNARESH SINGH GILL)
JUDGE

19.03.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No