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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.31446 of 2021 (O&M)

Date of decision: 06.08.2021

Hasan Mohammad

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Rosi, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of a direction to the official respondents to conduct fair and impartial investigation in FIR No.0053 dated 13.02.2021 registered under Sections 148, 149, 323, 324, 506, 34 IPC (Section 307 IPC added later) at Police Station Nuh, District Nuh.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered against 08 persons by name and 3/4 other persons, they have caused injuries to the victim and his brother Akhtar. Counsel for the petitioner has further submitted that the FIR describes the details of the injuries attributed to all the persons, however, while concluding the investigation and submitting the challan on 23.07.2021, only 03 persons namely Ballu, Dalip and Mahender were found guilty and the other persons were found innocent. It is also submitted that despite being named in the FIR, the police has favoured the other accused persons and has not put up the challan against them.

CASE HEARD THROUGH VIDEO CONFERENCING

Counsel for the State has not disputed the factual position that challan has been presented before the trial Court against 03 persons and other persons were found innocent.

After hearing the counsel for the parties, I deem it appropriate to relegate the petitioner to move an appropriate application under Section 319 Cr.P.C. at appropriate stage, after the statement of one of the victim is recorded.

Disposed of with liberty aforesaid.

(ARVIND SINGH SANGWAN)
JUDGE

06.08.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No