

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

204

CWP No.20933 of 2020

Decided on : 09.04.2021

Akshay

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Mahavir Singh, Advocate for the petitioner.

Mr. Shivendra Swaroop, AAG, Haryana.

(The proceedings have been conducted through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

In the present writ petition filed under Articles 226/227 of the Constitution of India, the grouse of the petitioner was for protection and for fair investigation in FIR No.219 dated 16.09.2020 under Sections 302, 307, 147, 148 IPC and under Section 25 of Arms Act, registered at Police Station Bass, District Hisar.

On 07.12.2020, it was noticed by this Court that only one of the accused person has been arrested, in spite of various representations having been filed (Annexures P-3 to P-6) with the higher authorities. In the reply dated 16.01.2021, it has been mentioned that two police employees were sent on 22.09.2020 for the protection of the petitioner and his family and which was still continuing and now four employees have been provided for protection. On 22.01.2021, the following aspect was noticed:-

“Counsel for the petitioner submits that as per the FIR dated 16.09.2020 itself Manjit and Bhagat were named who had inflicted

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the bullets shot injuries upon the deceased Aman. It is submitted that as per the status report now filed both the above said persons and one Rahul are yet to be arrested. It is further submitted the affidavit does not show as to what steps have been taken to arrest the said persons and whether any proceedings for declaring them Proclaimed Persons has been made since the final report against other accused have already been submitted in the Court of Illaqa Magistrate and is now pending for committal to the Court of Sessions.”

As per the status report of the DSP, Headquarters, Hisar filed now, it has been found that Manjeet was stated to be present in the Veterinary Hospital, Bass on 16.09.2020 and Bhagat Singh was reported to be present in Saket Colony, Hisar and had not come to village Bass. Resultantly, the two persons as such have been not found involved in the occurrence out of which above referred FIR had been lodged. Regarding Rahul he is stated to have been arrested and one country made pistol has been recovered. It has further been averred that investigation of the case has been completed and report under Section 173 Cr.P.C., is being prepared and would be submitted before the Trial Court.

Keeping in view the above, since the investigation has been completed, the matter would be before the Trial Court and no further orders are required to be passed by this Court. It is open to the parties to avail of the remedies in accordance with law.

Disposed of.

April 09, 2021

Naveen

Whether speaking/reasoned:

Whether Reportable:

(G.S. SANDHAWALIA)

JUDGE

Yes/No

Yes/No