

IN THE HIGH COURT OF PUNJAB AND HARYANA,
CHANDIGARH

CRM-M.45830 of 2021 (O&M)

Date of decision: 02.11.2021.

Sonu @ Singal

....Petitioner

VERSUS

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.Vinendra Rana, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

(Through Video Conferencing).

HARSIMRAN SINGH SETHI, J. (ORAL)

The present petition has been filed with the prayer that the direction issued to the Investigating Agency to conduct free and impartial investigation in FIR No.134 dated 07.10.2021, under Section 323, 379A, 427, 506, 406, 306, 34 IPC, registered at Police Station Pinangwan, District Nuh.

Learned counsel for the petitioner submits that the petitioner is the accused in the said FIR and is behind the bars and the only prayer of the petitioner is that the free and impartial investigation should be conducted in the said FIR in such a way that no prejudice is caused to the accused, or the other side.

Learned counsel further submits that in the present case nothing has come on the record that any action has been taken by the police during the investigation, so as to indicate that free and fair investigation is being conducted, which inaction on the part of the investigating agency is causing

prejudice to the petitioner and has created a doubt whether the investigation being conducted in the FIR is fair and impartial, hence, the prayer of the petitioner is for conducting free and impartial investigation by the police or present investigation be handed over to some independent Investigating Agency.

Learned State counsel submits that free and fair investigation will be conducted in the FIR concerned under all circumstances and the same will be taken to the logical end and that too without causing any prejudice either to the complainant or accused so as to elicit the truth during behind the allegations. Learned State counsel submit that merely that petitioner does not know about the progress in the investigation, does not mean that free and fair investigation is not being conducted.

Learned counsel for the petitioner submits that keeping in view the fact that undertaking has been given by the State counsel that the investigation into the FIR concerned will be conducted in free, fair and impartial manner, the grievance of the petitioner as raised in the present petition has been redressed and he does not press the present petition. Hence, the present petition is disposed of having been not pressed.

Ordered accordingly.

November 02, 2021
rekha sharma

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No