

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

CRWP-10724-2020

Date of Decision:08.02.2021

Mohammad Hanif

.....Petitioner

Vs.

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. J.P.Sharma, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

On 22.12.2020, the following order had been passed:-

“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks issuance of a direction to respondents no.1 to 3 to take stern action against the accused persons in FIR no. 176 dated 25.02.2020, registered at Police Station Model Town, Rewari, for the alleged commission of the offences punishable under Sections 147, 149, 323 and 379-B of the IPC and to proceed with the case as per law promptly, within a specific time.

Notice of motion.

Mr. B.S.Virk, DAG, Haryana, accepts notice at the asking of the court, on behalf of the respondent State.

The SP, Rewari, is directed to go into the matter and to have a reply of a gazetted officer filed to each and every contention raised in the petition, failing which the SP shall remain personally present in court on the next date of hearing itself by way of video conference.

Adjourned to 08.02.2021.”

A reply by way of an affidavit of the DSP, District Rewari, is on

record, with learned State counsel submitting that in fact the report under

Section 173(2) Cr.P.C. is 'about to be filed' against the accused in the FIR in

which the petitioner is the complainant, as also in the FIR in which the petitioner is an accused, and in fact two of the accused in the FIR registered at the instance of the complainant have been arrested.

Learned counsel for the petitioner however submits that the offence punishable under Section 379-B of the IPC has been deleted (as one of the offences alleged to have been committed), in the FIR.

Having considered the matter, in view of the stand take by the State this petition has actually been rendered infructuous and is disposed of as such.

Naturally, if the petitioner is aggrieved in any manner of the report submitted eventually by the investigating agency to the competent court, he would have his remedy by way of a 'protest petition etc.' before that court, which would be decided wholly on its own merits, if filed.

February 08, 2021

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO

Whether Reportable : YES/NO