

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

Criminal Misc. No.M-5457 of 2022(O&M)

Date of Decision: July 14, 2022

Hassan Mohd.

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Saurav Bhatia, Advocate for the petitioner.

Mr.Surinder Kumar Dagar, DAG, Haryana.

Mr.Sarfraj Hussain, Advocate
for respondents No.4 to 7.

Mr.P.S.Ahluwalia, Amicus Curiae.

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HARINDER SINGH SIDHU, J.

Hassan Mohd. - petitioner is complainant in case FIR No.297 dated 25.12.2019 under Sections 148, 149, 323, 427 and 506 IPC (later on Section 307 IPC also added), Police Station Nagina, District Mewat (Nuh).

He has filed the present petition praying for quashing the report under Section 173 CrPC dated 21.10.2021 filed in the Court of Ld. Judicial Magistrate Ist Class, Ferozepur Zhirka and all consequential proceedings. He has also sought directions that investigation in the said case be conducted in a fair and impartial manner.

In the reply by way of affidavit of Satish Kumar, HPS, Deputy Superintendent of Police, Ferozepur Zhirka filed on behalf of State of

Haryana, it has been stated that in view of some shortcomings in the investigation of the case, it has been decided that the matter requires further investigation. In this regard, SHO, Police Station, Nagina has filed an application before the Ld. Trial Court seeking permission for further investigation in the case. After obtaining necessary orders from the Court, the matter will be further investigated in a fair and impartial manner and report under Section 173(8) CrPC will be submitted.

In view of the aforesaid, the present petition is disposed of with the following directions :

- (i) The report under Section 173 CrPC and all consequential proceedings taken pursuant thereto including the order of the Court taking cognizance of the offences, are quashed.
- (ii) Fresh investigation be conducted in the case in accordance with law under the supervision of a Gazetted Officer.

July 14, 2022

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No