

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 5946 of 2022
Reserved on: 25.08.2022
Pronounced on : 23.09.2022

Sunil and othersPetitioners

Vs.

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Randhir Singh, Advocate
for the petitioners.

Mr. Rajat Gautam, D.A.G., Haryana.

ANOOP CHITKARA J.

FIR No.	Dated	Police Station	Sections
147	09.10.2020	Sohna, District Gurugram	147, 149, 323, 506 IPC

Aggrieved by the refusal of learned Sessions Court, Gurugram to interfere in the order passed by the Judicial Magistrate whereby he had dismissed the application of the complainant for further investigation, the complainant has come up before this Court under Section 482 Cr.P.C.

The State has filed its response by way of affidavit of Assistant Commissioner of Police, Sohna (Gurugram). It would be relevant to reproduce para 5 of the such response, which reads as follows:

5. *“That it is further submitted that the matter has also been re-examined by the investigating officer, P.S. Sadar Sohna, Gurugram and it has been found that the plea taken by the petitioners that the CCTV footage can be perused and the same will reveal that the petitioners are not at fault, is not true, as on re-examination, it has been found that Tek Ram, elder brother of Sunil, is being seen in the CCTV footage and the distance of place of occurrence from the installation point of CCTV camera is about 3/3.5 Kilometers. It takes only 3-4 minutes to reach the place of occurrence from the place of installation of CCTV cameras. CCTV footage*

is of about 7:00 AM and the occurrence is also of about 7:00 AM. Further, as per version of Vikas and other witnesses, Tek Ram is involved in the brawl and he is being seen on the scooty going towards Siraska i.e. the place of occurrence from Khatana General Store at about 6:59 AM. No CCTV camera has been found to be installed at the place of occurrence.”

Further, the response reveals that all 10 accused in FIR No. 146 dated 09.10.2020 were arrested and the police report had been filed.

A perusal of the impugned order reveals that there is no illegality.

Given above, the present petition is dismissed.

(ANOOP CHITKARA)
JUDGE

23.09.2022
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.