

233

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

CRM-M-9376-2019

Date of Decision: September 15, 2022

DEEPAK**....Petitioner(s)****VERSUS****STATE OF HARYANA AND OTHERS****....Respondent(s)****CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Ravinder Malik, Advocate for
Mr. Nihul Pratap Singh, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMAN CHAUDHARY, J.(ORAL)

The present petition has been filed under Section 482 Cr.P.C. for issuance of a directions to the respondents No.1 to 4 to conduct a fair and proper investigation and take immediate action against the accused mentioned in FIR No.161 dated 31.08.2018 under Section 307 IPC and Section 25 of Arms Act, 1959.

Notice of motion in this case was issued on 28.02.2019, pursuant to which reply dated 21.05.2019 has been filed by way of an affidavit of Vivek Chaudhary, HPS, Deputy Superintendent of Police, Hodal on behalf of the respondents No.1 to 4. A reference to para-3 of the same has been made, which reads thus:-

“3. That it is also significant to mention here that on 24.4.2019 the injured person namely Natwar and complainant Deepak joined the investigation and got

recorded their statements and furnished their affidavit also on 29.4.2019, vide which they stated that they had named the above said accused persons due to some misunderstanding and now they have inquired completely and found that the said accused persons were not the persons who inflicted injuries to injured Natwar. True translation of the affidavit are annexed herewith as Annexure R-1 and R-2.”

Learned State counsel submits, besides the aforesaid, she has received instructions from Inspector Dalbir Singh that untraced report has been submitted by the Police which has been accepted by the Judicial Magistrate 1st Class, Hodal, vide order dated 11.10.2019.

Learned counsel for the petitioner submits that in view of the same the present petition has been rendered infructuous, may be disposed of as such.

Disposed of as such, however, liberty is granted to avail an alternate remedy in accordance with law.

15.09.2022
Sangeeta

(AMAN CHAUDHARY)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No