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

CRM-M-11010-2019

Date of Decision: September 13, 2022

ANAND SARUP

....Petitioner(s)

VERSUS

STATE OF HARYANA AND ORS

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Ms. Geeta Rani, Advocate for
Mr. Pawan Kumar Hooda, 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 appropriate directions to respondent No.1 and 2 to transfer the investigation of the case FIR No.23 (Annexure P-1) dated 16.01.2018 under Sections 406/506 of IPC, registered at Police Station Rai, District Sonipat.

Notice in this case has been issued on 11.03.2019, pursuant to which a reply dated 11.06.2019, by way of an affidavit of Jitender Singh, HPS, DSP, Head Quarter, Sonipat, on behalf of respondent Nos.1 to 4, has been filed.

Learned State counsel makes a reference to para-3, which reads as under:-

*“That during the course of investigation, respondent no.5
Rajesh was tried to be joined in the investigation and he*

was traced out at the given address as well as at several other places including his relatives where he was likely to be found present, but despite sincere efforts made by investigating agency, respondent no.5 could not be traced out. When whereabouts of respondent no.5 could not be known, his warrants of arrest were got issued from the court of learned Area Magistrate for 25.10.2018, 12.11.2018 and 05.01.2019, but he could not be arrested. When presence of respondent no.5 could not be secured through the efforts made by investigating agency as well as NBWs got issued against him, proclamation was ordered to be published against him, but despite publication of proclamation appearance of respondent no.5 could not be secured and as such he was declared as proclaimed person by the court of Shri Vishal, learned Judicial Magistrate Ist Class Sonipat vide order dated 14.03.2019, copy of which is annexed herewith as Annexure R-1”

In view of the aforesaid, learned counsel for the petitioner submits that this petition has become rendered infructuous.

Disposed of as infructuous.

13.09.2022
Sangeeta

(AMAN CHAUDHARY)
JUDGE

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