

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-15720-2022 (O&M)

Date of Decision:- 11.5.2022

Kulwant

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.C.Malik, Advocate, for the petitioner.

Mr. Krishan K. Chahal, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (Oral)

The petitioner assails order dated 4.3.2022 passed by learned Judicial Magistrate 1st Class, Panipat, vide which the learned Magistrate has accepted an 'Untraced Report' filed by the investigating agency in respect of FIR No.339, dated 16.8.2021, Police Station Matlauda, District Panipat, under Sections 279/304-A IPC.

Learned counsel for the petitioner has submitted that it is a case where two persons had lost their lives and that the police is trying to shield the real culprits although he had also disclosed the names of the culprits in his representation dated 30.8.2021 (Annexure P-4).

I have heard the learned counsel for the petitioner.

Needless to mention, in case of acceptance of an ‘Untraced Report’ it is always open to the police/investigating agency to file a challan against the accused, in case some evidence regarding their identification and involvement is found by the police. In these circumstances, this Court does not find any ground to set aside order dated 4.3.2022 particularly when no such evidence has been shown to this Court. It is however, directed that in case the petitioner furnishes any concrete evidence to show involvement of any person in the occurrence in hand, the Superintendent of Police, Panipat (respondent No.4) shall ensure that the same is got duly examined.

The petition stands disposed of accordingly.

11.5.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No