

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

CRM-M-24267-2022

Date of decision : 31.05.2022

Devika

..... Petitioner

versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Kanhiya Soni, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Petitioner has approached this Court impugning the order dated 27.01.2022 passed by learned Additional Sessions Judge, Rewari, Haryana and order dated 23.09.2021 passed by learned Sub Divisional Judicial Magistrate, Kosli, Rewari, Haryana to the extent to initiate legal/departmental proceedings against respondents No.2 and 3.

It has been contended that the petitioner prayed for taking action against respondents No.3 and 4 besides the prayer of further investigation. It is apparent from the arguments raised and the perusal of the records that the prayer made by the petitioner has been accepted by both the Courts below and the further investigation was ordered. However, learned State counsel has also submitted that after the order of the learned Courts below, the supplementary challan is also filed. Learned counsel for the petitioner has relied upon the judgment titled as Rahul @ Rahul Adiwala Vs. State of Haryana, 2021(1) RCR (Criminal) 353.

Notice of motion.

On asking of the Court, Mr. B.S. Virk, DAG, Haryana accepts notice on behalf of the respondent-State.

Learned State counsel has submitted that in the supplementary challan, the grievances of the petitioner are already met and investigation is complete in all respect.

There is no dispute regarding the judicial precedent relied upon by the counsel for the petitioner, however, this Court finds that the same is distinguishable in the facts and circumstances of the present case.

In view of the above submissions, this Court does not find any merit in the submissions made by counsel for the petitioner for taking action against the officials at this stage. However, petitioner is at liberty to avail remedies in accordance with the law once the learned Courts take the cognizance of this case.

In view of the above, petition stands disposed of.

(RAJESH BHARDWAJ)
JUDGE

31.05.2022
m. sharma

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No