

220.

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

CRM-M-25399-2021

Date of Decision: 21.02.2022

(Heard through VC)

SITA RAM

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Joginder Singh, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Section 482 Cr.P.C. seeking a direction to respondents No.2 & 3 to conduct a free and fair investigation in FIR No.0107, dated 11.06.2021, registered under Sections 307, 34, 506 of IPC and Section 25 of the Arms Act, 1959, at Police Station Hasanpur, District Palwal.

Learned counsel appearing on behalf of the petitioner herein would contend that the petitioner has been attacked and fired upon and, therefore, seeks protection of his life and liberty at the hands of respondents No.4 to 6.

Notice of motion was issued in the said matter, pursuant to which, status report by way of an affidavit of Sajjan Singh, HPS Deputy Superintendent of Police, Hodal, District Palwal, has been filed on behalf of

respondents No.1 to 3, which is taken on record.

Learned State counsel would submit that the matter has been investigated and the allegations against respondents No.4 to 6, who were nominated as accused by the petitioner herein, were investigated and no incriminating evidence has been found against them so far. It is also submitted that the investigation in the said matter is still underway and, therefore, prays for dismissal of the instant petition.

I have heard learned counsel for the petitioner and perused the reply, as filed.

Admittedly, the present FIR came to be registered upon a complaint filed by the petitioner-injured against Bhagirath, Naresh and Sukhdev regarding physical assault on 06.06.2021. There is also a report available from the FSL Madhuban Karnal (Haryana), dated 12.08.2021, which would show that the hole on the shirt has been caused by firearm projectile and no gun-shot residues could be detected from swab and blood stained earth. As per the report, statements of witnesses have been recorded and at the moment, the allegations raised against the private respondents have been found to be false.

As the matter is still under investigation, no further orders are called for. Petition stands disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

21.02.2022
sanjeev

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