

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.28901 of 2022 (O&M)

Date of Decision: 09.08.2022

Mohd. Saddam

.....Petitioner

Versus

State of Haryana and others

.....Respondents

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Ms. Rosy, Advocate appearing for
Mr. M.D. Khan, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

CRM No.23147 of 2022

Heard.

Keeping in view the reasons as mentioned in the present
application, the same is allowed.

CRM-M No.28901 of 2022

The petitioner herein seeks the indulgence of this Court for the
issuance of direction to respondents No.1 and 2 to take appropriate speedy
legal action against the culprits/accused named in the FIR bearing No.0091
dated 11.04.2022 registered at Police Station Pinagwan, District Nuh
(Mewat), under Sections 148, 149, 294, 323, 325, 342, 379-B and 506 IPC
and to transfer the investigation of the above-said case to any other
independent investigating agency of some other District falling in the South

Range as well as for issuing a direction to respondent No.2 to decide his representation (Annexure P-4) and he also seeks the protection of his life and liberty, while averring that he apprehends threat to the same at the hands of the accused in the afore-said criminal case.

2. Mr. Apoorv Garg, learned Deputy Advocate General, Haryana has appeared on behalf of all the respondents in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance and on the instructions from ASI Badri Prasad from the above-said Police Station, he apprises the Court that during the investigation of the case, the offences under Sections 379-B, 148 and 149 IPC have been dropped and out of the total six accused as named in the subject FIR, accused-Sahib Khan, Mudassir and Rijwan have been joined in the investigation whereas accused Moeen, Mouseem and Mujammil have been found to be innocent and the final police report shall be submitted in the competent Court within a period of eight weeks.

3. In view of the above-discussed submission as made by learned State counsel, learned counsel appearing for the petitioner, on the instructions from the arguing counsel, submits that she does not press for the relief of the transfer of the investigation of the said case to some other agency and that the petitioner would be moving a fresh representation to respondent No.3-Superintendent of Police, Nuh (Mewat), exclusively praying therein for the protection of his life and liberty only and as regards the remaining relief as prayed for in this petition, he would be availing the appropriate, alternative and efficacious remedy, as may be permissible to

him under law, for this purpose and she further prays that respondent No.3 be directed to look into and take appropriate action on the fresh representation of the petitioner within some specific time frame and the present petition may be disposed of accordingly.

4. Learned State counsel has no objection to the afore-discussed submission as well as the prayer as made by learned counsel for the petitioner.

5. Resultantly, the petition in hand stands disposed of with a direction to respondent No.3 that in case the petitioner moves any fresh representation to him restricting his prayer therein to the protection of his life and liberty only, he shall look into the same and if the petitioner would be found to be genuinely deserving the said protection, then he shall take appropriate action strictly in accordance with law, in the given set of the facts and circumstances of the matter, preferably within a period of ten days.

August 09, 2022
pooja

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*