

121

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

CRM-M-50856-2022

Date of Decision: November 29, 2022

Sakir

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Ms.Rosi, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for issuance of direction to respondents to transfer the investigation to higher police official and conduct fair and unbiased investigation in case FIR No.53, dated 12.03.2021, registered under Sections 366-A, 376-D, 506 IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Nagina, District Nuh, and to arrest the remaining accused.

Counsel has submitted that investigation in the above mentioned case is not being conducted in a free and fair manner. Counsel further submits that there is a threat to the petitioner/victim.

Notice of motion.

On the asking of the Court, Mr.Kirpal Singh Thakur, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent/State and submits, on instructions from Inspector Pardeep, that investigation in this case has already been completed, report under Section 173 Cr.P.C. has also been filed and the charges have also been framed. It is

further submitted that out of total six accused, five were found innocent and

the challan has been presented only against one of the accused Hakka.

After hearing the counsel for the parties, the present petition is disposed of with liberty to the petitioner to pursue his remedy before the concerned Court in accordance with law. However, State is also directed to verify the truth regarding threat to the petitioner/victim and ensure her protection in case the same is found to be correct.

November 29, 2022
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |