

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

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CRM-M-3058-2021 (O&M)

Date of Decision: 08.02.2023

Ajay Singh

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Onkar Rai, Advocate, for the petitioner.

Mr. Surinder Singh, AAG, Haryana,
assisted by SI Dharamvir.

GURVINDER SINGH GILL, J. (Oral)

The instant petition has been filed on behalf of the petitioner seeking issuance of directions to the official respondents to arrest the accused and to file challan against them in respect of FIR No.0287 dated 21.08.2020 registered at Police Station Sadar Ballabgarh, District Faridabad, under Sections 148/149/307/323/325/506 IPC and under Section 25 of the Arms Act.

Another prayer has been made so as to direct respondent No.2 to protect life and liberty of the petitioner and of other members of his family, as they apprehend threat to the same at the hands of private respondents.

Reply has been filed as per which the matter has been investigated and challan stands presented against 9 of the accused. It is also stated in the reply that 3 accused, namely, Udayvir @ Hinu, Parveen

and Sachin are yet to be arrested. Learned State counsel upon instructions has, however, informed that Parveen and Sachin were juvenile and were declared innocent.

In view of the aforestated position, this Court does not find any ground to issue any specific direction at this stage as regards arrest of the accused as the police has taken necessary steps and arrested 9 of the accused and has also filed challan against them. As far as accused Udayvir @ Hinu is concerned, it is directed that the police shall do the needful for securing the arrest of Udayvir or any other accused in case not arrested yet and to take all necessary steps in case they are found absconding.

As far as prayer of the petitioner regarding his threat perception is concerned, it is directed that respondent No.2 – The Commissioner of Police, Faridabad shall get the representations dated 26.11.2020 & 09.12.2020 (Annexures P-4 & P-5 respectively) examined qua the alleged threat perception of the petitioner. In case, it is found that there is genuine threat to the life and liberty of the petitioner, then necessary steps as warranted under law be taken thereupon at the earliest.

Petition stands disposed of accordingly.

A copy of this order as well as copies of representations Annexures P-4 & P-5 be sent to respondent No.2 for necessary compliance.

08.02.2023

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**