

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15802-2023
Date of order: 11-10-2023

Sanjay ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. G.S. Sawhney, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0003	26.01.2023	State Vigilance Bureau Rohtak	7 of Prevention of Corruption Act

1. Apprehending threat to his life at the hands of respondent no.3 who is posted as ASI in Jhajhar, Haryana, the petitioner had come up before this Court under Section 482 CrPC.
2. This Court had sought response from the concerned DySP, which was duly placed on record. It will be relevant to reproduce paragraphs 2 and 3 of the said reply, which read as under:-
- “2. That the contents of Para no. 2 of the petition are wrong hence denied. It is submitted that the State Investigating Agency is getting progressive expansions from time to time and at presently having fairly widespread and effective network throughout the State. The official of the Agency aren't only examples of courage and righteousness, but they also give hope that no matter how mildewed and corrupt the system gets, bright and honest cops will always keep the faith of the people intact in the department. It is submitted that the petitioner is though a complainant in FIR no. 03 dated 26.01.2023 u/s 7 of the Prevention of Corruption Act, (Later on section 13 of the Prevention of Corruption Act & Sections 201, 180 of Indian penal Code) Police Station Anti- Corruption Bureau, Rohtak.
3. That the contents of Para no. 3 of the petition are correct up to this extent the petitioner is the complainant in Case FIR no. 03 dated 26.01.2023, u/s 7 of the Prevention of Corruption Act, (Later on section 13 of the Prevention of Corruption Act & Sections 201, 180 of

Indian penal Code) Police Station Anti- Corruption Bureau, Rohtak. It is submitted that the petitioner has given an application to the Inspector/In-charge Anti- Corruption Bureau, Unit Jhajjar against the respondent no.3 alleging that the respondent no.3 and his associates are threatening and harassing the petitioner & forcing him not to depose against respondent no. 3 in the aforesaid FIR. The petitioner also submitted a video clip regarding this. After the perusal of video clip so submitted by the petitioner, the Inspector ACB Jhajjar found that the faces of the persons who allegedly went to the house of the petitioner are not visible, hence identity of these person can not be ascertained. Further, the video clip is soundless and registration number of vehicle of allegedly used is also not clear in the clip. Moreover, the incident falls under the jurisdiction Police Station Tosham, District Bhiwani, and the Petitioner when called by Inspector, ACB Jhajjar for initiating action against the accused then the petitioner mentioned in his statement that he wants to get his complaint dealt by Police Station Tosham of District Bhiwani. The true translation of statement of Petitioner is annexed as Annexure R1. Hence, the said complaint of Petitioner along with video clip and his statement has been sent to Superintendent of Police Bhiwani Superintendent of Police, Anti Corruption Bureau, Rohtak vide Memo No. 1920 dated 14.09.2023 for taking further necessary action.”

3. In addition to the aforesaid reply, counsel appearing for the State submits that the petitioner has nothing to fear from the police official, who is duty bound to protect the lives of the people and not to harm their interest.
4. Given above, this Court feels that nothing survives in the present petition.
5. Accordingly, the present petition is disposed of. However, the petitioner shall be at liberty to make a representation to the concerned Superintendent of Police in case he faces any threat in the matter. It is clarified that this order shall eclipse after 30 days from today.

(ANOOP CHITKARA)
JUDGE

October 11, 2023
AK

Whether speaking/reasoned:	Yes
Whether reportable:	No.