

2023:PHHC:049983
120 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17352-2023
Date of Decision: 12.04.2023

ASHISH MITTAL

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Rajbir Singh, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

SANJIV BERRY, J. (Oral)

The present petition is filed under Section 482 Cr.P.C. For quashing the Kalandara bearing Rapat No. 23 dated 24.02.2023 under Sections 107, 150 & 151 CR.P.C. registered at Police Sation City Kaithal (Annexure P-4) and all the proceedings arising thereto qua the petitioner.

Counsel for the petitioner submits that the petitioner had moved a complaint before the Police Station, City Kaithal on 20.02.2023 and regarding attack on 24.02.2023 vide Annexures P-1 and P-2 along with MLR Annexure P-3, however, respondent No.5 proceeded to prepare Kalandara under Sections 107, 150 & 151 CR.P.C (Annexure P-4). He further submits that later, on representation to Superintendent of Police, Kaithal, FIR was registered which is annexed as Annexure P-7. He also submits that he has already complained to respondent No.2 regarding the matter but no action thereon has been taken.

Notice of motion.

On the asking of the Court, Mr. Vishal Malik, DAG, Haryana who is present in Court accepts notice on behalf of the respondents/State.

Without commenting on the merits of the case, the petition is disposed of with the direction to respondent No.2 to decide the representation dated 12.03.2023 (Annexure P-6) moved by the petitioner in accordance with law, expeditiously, preferably within a period of four weeks from today and decision taken be conveyed to the petitioner in writing as well.

(SANJIV BERRY)
(JUDGE)

12.04.2023

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