

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

**CRM-M- 17609-2022
Date of Decision: 22.05.2023**

Sahab

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Abhishek Sharma, Advocate and
Mr. Abhikant Vats, Advocate
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana
for respondents No.1 to 4.

Mr. Digvijay, Advocate for
Mr. Ashish Gupta, Advocate
for respondents No.5 to 19.

HARSH BUNGER J. (ORAL)

1. Petitioner (Sahab) has filed the present petition under Section 482 of the Code of Criminal Procedure seeking issuance of directions to official respondents No.2 to 4 to take remedial action on complaint dated 12.04.2022 (Annexure P-2) filed by petitioner before respondent No.4 (Station House Officer, Police Station Utawad) against respondents No.5 to 19.

2. Upon issuance of notice in the instant case on 28.04.2022, the FIR No.114 dated 01.05.2022 has been registered against the accused under Sections 148, 149, 323, 341, 354-A, 379-B, 451 and 506 of the Indian Penal

15.07.2022 of Mr. Prashanta Kumar Agrawal, Director General of Police, Haryana, Panchkula, was filed on behalf of State of Haryana, which is already on record.

3. A perusal of the above said affidavit reveals that during the course of investigation, it has been found that the petitioner has wrongly got the aforesaid FIR registered against the accused persons whereas no such incident took place. It is stated therein that the aforesaid FIR No.114 dated 01.05.2022 has been got registered in order to build pressure upon accused persons for compromise in case FIR No.3, registered under Sections 148, 149, 323, 324 and 379-B of the Indian Penal Code and Sections under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, at Police Station Utawar.

4. Learned State counsel has informed that the cancellation report has already been prepared in the instant case FIR No.114 dated 01.05.2022.

5. At this stage, in view of the aforesaid submission made by learned State counsel, learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition with liberty to the petitioner to avail his other remedies, as available to him, in accordance with law.

6. Keeping in view the above, the present petition is dismissed as withdrawn with the liberty aforesaid.

22.05.2023
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No