

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108

CRM-M-17934-2022

Date of Decision : November 30, 2023

NIRANJAN

-Petitioner

V/S

STATE OF HARYANA AND OTHERS

-Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Pratula Sethi, Advocate
for the petitioner.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., a prayer is made for transferring the investigation emanating from FIR No.491 dated 26.12.2021, under Sections 380, 435, 120-B of the IPC, registered at P.S. Sadar Ballabgarh, District Faridabad, to an independent agency, through constituting a Special Investigating Team, outside the jurisdiction of Faridabad Police.

2. Upon notice of the instant petition, a status report, through affidavit of Rajesh Lohan, HPS, Assistant Commissioner of Police, Tigaon, Faridabad, was filed by the learned State Counsel.

3. The status report (supra) makes it discernible that, during the pendency of the instant petition, the investigation of the FIR (supra) was completed by the local police and an untraced report was prepared and presented before the learned Magistrate concerned, way back on 14.07.2022. Thereafter, upon further investigation and enquiry from the

locality, since the persons named in the FIR were not found involved in the alleged occurrence, another untraced report was prepared on 23.03.2022 and presented before the learned Magistrate concerned on 14.07.2022.

4. In view of the factual aspects, as unveiled by the status report (supra), the learned counsel for the petitioner seeks leave to withdraw the instant petition, however, with liberty to avail the appropriate statutory remedy before the learned Magistrate concerned, before whom the untraced report has been presented.

5. Leave granted.

6. Consequently, the instant petition is dismissed as withdrawn, however, with liberty (supra).

November 30, 2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No