

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

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**2023:PHHC:100876
CWP-8364-2023 (O&M).
Date of Decision: 04.08.2023.**

AMIT ADHANA

..Petitioner

VERSUS

**COMMISSIONER OF POLICE, GURUGRAM, HARYANA AND
OTHERS**

..

.. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Puneet Singla, Advocate, for
Mr. Prateek Jain, Advocate, for the petitioner.

Mr. Vivek Chauhan, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the notice dated 29.09.2022 sent by respondent authorities under Section 41-A (1) of the Code of Criminal Procedure, 1973, in case FIR 348 dated 09.09.2022 under Section 354, 406, 452, 506 and 509 of the Indian Penal Code registered at Police Station, Badshahpur, Gurugram.

Reply by way of an affidavit of Manoj Kumar, HPS, Assistant Commissioner of Police, Head Quarter, Gurugram has been filed today in Court. It has been averred in para 6 of the preliminary submissions of the aforesaid reply that the notice was issued in furtherance of the investigation without any mala fide intention. Further, the contents were inadvertently mentioned in the said notice. The petitioner is stated to have joined investigation and a final report has already been prepared and the same shall be submitted to the competent Authority at the earliest. Having joined

investigation pursuant to the notice under Section 41-A (1) of the Code of Criminal Procedure, 1973, dated 29.09.2022, the notice under challenge ceases to exist.

In view of the aforesaid averment contained in the reply, learned counsel for the petitioner does not press the instant petition.

Disposed of as not pressed.

August 04, 2023.
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(VINOD S. BHARDWAJ)
JUDGE

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