

2023:PHHC:060593

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

CRM-M-26966-2021

Date of Decision: 28.04.2023.

SIMRANJEET SINGH DHATT

... PETITIONER

VS.

STATE OF HARYANA AND OTHERS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Sandeep Sharma, Advocate for
Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI, J.(ORAL)

On 24.04.2023, the following order was passed:-

“1. Petitioner is seeking issuance of directions to respondent Nos.4 to 6 for proper investigation of the case bearing FIR No.227 dated 08.06.2019, under Sections 406/420 IPC, 1860, registered at Police Station Panchkula Sector-5, District Panchkula.

2. Reply by way of affidavit of Umed Singh, HPS, Assistant Commissioner of Police, Panchkula on behalf of respondent No.1 to 6 has been filed and the same is taken on record.

3. Learned State counsel submits that the allegations in the FIR are with regard to fraudulent withdrawal of the amount to the tune of Rs.1,20,000/-, Rs.3,00,000/- and Rs. 55,000/- from the account of the petitioner by respondent No.7.

4. Para No.3 of the preliminary submissions of the reply reads as follows:-

"That the untraced report was submitted before the competent authority but the competent authority was not agreed with the untraced report submitted by the SHO, Police Station Sector-5, Panchkula, therefore vide order No.60979-83 dated 19.08.2020, the case file was transferred to the Crime Branch for reinvestigation of the case and the further investigation was conducted by the Crime Branch, Sector-26, Panchkula. During the course of investigation, petitioner and Harpreet Singh were joined in the investigation. Harpreet was produced before the petitioner and after seeing the Harpreet, petitioner disclosed that this person is not whom documents were given by him and who committed

fraud with him. Efforts were made to trace out the accused but the accused could not trace out. If in future any information be received, further action will be taken accordingly."

5. None has appeared on behalf of petitioner.

6. In the interest of justice, adjourned to 28.04.2023.

7. To be shown in urgent list."

2. Learned State counsel, on instructions from SI Partap Singh, submits that the matter was also inquired by the Criminal Branch and untraced report is to be submitted in the Court concerned.

3. Faced with this situation, learned counsel for the petitioner seeks to withdraw the present petition with liberty to avail the alternative remedy as may be available in accordance with law.

4. Dismissed as withdrawn with the liberty aforesaid.

28.04.2023
smriti

(VIVEK PURI)
JUDGE

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