

VINOD KUMARPetitioner

STATE OF HARYANA AND ORSRespondents

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner.

NAMIT KUMAR, J. (ORAL)

On issuance of notice of motion, reply dated 12.03.2019 by way of affidavit of Ms. Bharti Dabas, H.P.S., Deputy Superintendent of Police, City Jhajjhar, District Jhajjar, has been filed on behalf of the respondents wherein, it has been stated as under:-

3. That the case was enquired into by various agencies of the State police including the State Crime Branch, Gurugram and also by a Special Investigation Team under the Stewardship of the officer of the rank of DSP. After thorough investigations of the case, an untraced report has been prepared in the matter by SHO, Police Station Jhajjar.

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I attest to the accuracy and
integrity of this order/judgment.

found in the matter. The untrace report has been accordingly prepared in the matter. The matter has been fairly investigated and it has been concluded by the Special Investigation Team that no evidence of any pressure having been exerted by Kunwar Sachdeva and Kanav Sachdeva on the deceased and the allegations have been leveled simply to ensure that no money was demanded by the company from the deceased family.

5. *That in view of the fact that the untrace report dated 08.05.2018 has already been filed in the matter. The same is yet to be accepted, as the complainant has not put in his appearance before the Court of Competent jurisdiction as mandated by the procedure laid down by law. Petitioner is not having any locus standi to invoke the extra ordinary jurisdiction of this Hon'ble Court and seeking issuance of directions as prayed for and the present petition is liable to be dismissed being devoid of any merits.*

xxx xxx xxx xxx”

Since the matter has already been investigated by two separate agencies i.e. State Crime Branch, Gurugram and Special Investigation Team, under the supervision of officer of the rank of Deputy Superintendent of Police and after thorough investigation, untraced report has been filed before the trial Court, therefore, the instant petition has been rendered infructuous.

However, liberty is granted to the petitioner to contest the untraced report before the trial Court in accordance with law.

Disposed of as having become infructuous.

04.05.2023
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(NAMIT KUMAR)
JUDGE

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