

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

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**CRM-M-33643-2022(O&M)
Decided on : 12.01.2023**

NARAYAN AND ANR.

. . . Petitioners

Versus

STATE OF HARYANA AND OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

PRESENT: Mr. B. K. Majoka, Advocate
for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

AMAN CHAUDHARY, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. seeking direction to respondents No. 2 and 3 to conduct a fair and impartial enquiry in case FIR No. 290 dated 29.03.2022, under Sections 147, 148, 186, 323, 353, 307, 341 and 506 IPC and Section 3(2) PDPP Act, registered at Police Station Camp Palwal, District Palwal.

Notice of motion in this case was issued on 01.08.2022. Status report dated 05.09.2022 by way of affidavit of Vijay Pal, HPS, DSP, Palwal has been filed by learned State counsel.

Learned State counsel makes a reference to paras 4, 5, 8 and 9 which read thus:-

“4. That both of the petitioners namely Narayan and Sanjay Kumar were medico legally examined at GH, Palwal. Their Medico Legal Report (MLRS) and sealed medical parcels were obtained from the medical authority concerned and taken on record as evidence of the crime vide a memo. True copies of MLRs of the injured Narayan and Sanjay Kumar are attached herewith as Annexure "R-1" & "R- 2" for kind perusal of this Hon'ble Court.

5. That on the same day i.e 29.3.2022, the named accused Subhash was arrested in the case after collection of sufficient incriminating evidence on the file against him and interrogated. During interrogation, he made his disclosure statement admitting to have committed the crime. Pursuant thereto he got recovered a motorcycle bearing no. HR 30P 5885 used in commission of the crime and the same was taken into police possession. The offence under section 3(2) of PDPP Act was also added to the case and the offence under section 427 of IPC was deleted from the case. He also demarcated the place of occurrence. Besides this he also disclosed the names of his accomplices as Ramkumar-Driver, Varun-Driver, Shishpal-Driver and Hukam-Driver.

8. That the other accused Varun and Ramkumar were arrested in the case on 16.8.2022 and interrogated.. During interrogation, they made their respective disclosure statement admitting to have committed the crime. Pursuant to their respective disclosure statements they individually demarcated the place of occurrence. The supplementary final report against them is yet to be filed against them.

9. That the other co-accused Shishpal son of Partap Singh. and Hukam Singh son of Moti Ram are yet to be arrested in the case. Concerted efforts are still being made to trace them out and arrest, whereas they have been hiding themselves to evade their arrest. There are only five accused in the case.”

Learned State counsel submits that in view of the above, the aforesaid matter has since been properly investigated and action taken thereon, no further order is required, the present petition has been rendered infructuous.

No further orders are required to be passed.

Accordingly, present petition is disposed of as having been rendered infructuous.

Pending miscellaneous applications, if any, stand disposed of with the abovesaid order.

(AMAN CHAUDHARY)
JUDGE

12.01.2023

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No