

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

**COCP-254-2015 (O&M)
Date of decision: 14.07.2023**

Mangej and anr.

... Petitioners

Vs.

Vijay Kumar and ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioners.

Mr. Harsh Vardhan Sehrawat, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioner alleges violation of the directions issued by the Hon'ble Supreme Court in **Crl. Appeal No.1277 of 2014 (Arnesh Kumar Vs. State of Bihar and anr.)**, decided on **02.07.2014**.

It is stated that the petitioners were arrested in FIR No.293 dated 26.12.2014 under Sections 498-A, 406, 452, 323, 506, 34 IPC, Police Station Uchana, without following the proper procedure.

As per affidavit filed by Incharge, Police Post Uchana, investigation was conducted by following the proper procedure and after registration of the FIR, as many as 09 persons were joined the investigation and upon verification of the fact, vide case diary No.3-A dated 29.12.2014. It is stated in the affidavit that upon verification by DSP, Jind, further action was

taken with regard to arrest of the petitioners.

Similar is the affidavit filed by SHO, Police Station Uchana, District Jind. In the affidavit filed by DSP, Jind, similar stand is taken, however, it is stated that necessary compliance of Section 41 Cr.P.C. was done by conducting the investigation in a proper manner, after recording the statement under Section 161 Cr.P.C.

Learned State counsel, on instructions from SI Ravinder Singh, SHO, Police Station Uchana, District Jind, submits that all the accused stand acquitted.

In view of the above, present petition is rendered as infructuous.

[ARVIND SINGH SANGWAN]
JUDGE

14.07.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No