

CRWP-12272-2023
Date of decision: 20.12.2023

Sukhdev SinghPetitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Veena Hooda, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

The instant criminal writ petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. is filed for issuance of a writ in the nature of *mandamus* directing official respondents No.1 to 3 to not harass and arrest the petitioner in a case bearing FIR No.0741 dated 06.10.2023 under Section 174-A of IPC.

Learned counsel for the petitioner *inter alia* contends that the learned Judicial Magistrate 1st Class, Assandh, Karnal, has passed the order dated 18.09.2023 (Annexure P-2) vide which Sukhdev Singh s/o Lakhvinder Singh r/o village Dharamgarh, Tehsil Safidon, District Jind (Mob. No. 9991806464) has been declared as proclaimed person and directions were issued to the jurisdictional police authorities for initiating action against him under Section 174-A of IPC. As such, the FIR (*supra*) was registered.

Learned counsel further refers to the Aadhar Card of the petitioner and submits that although the petitioner is a resident of the same village but he

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is not the same person, who was declared proclaimed person. Petitioner is Sukhdev Singh s/o Takhat Singh and due to mistaken identity, the local police is harassing him due to which the petitioner is living under constant fear.

Notice of motion.

Ms. Geeta Sharma, DAG, Haryana who is present in Court accepts notice for the official respondents. Copy of the complete paper book be supplied during the course of the day.

The present petition is disposed of with a direction to respondent No.2 to get the proper verification conducted with regard to the identity of the person-Sukhdev Singh who was declared proclaimed person by the learned Judicial Magistrate 1st Class, Assandh vide order dated 18.09.2023 and after considering the verification report, an appropriate action be taken in accordance with law. However, it is also directed that no coercive steps shall be taken against the petitioner till the verification is done.

(HARPREET SINGH BRAR)
JUDGE

20.12.2023

Neha

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