

2024:PHHC:056597

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH  
\*\*\*\*

246 CRM-M-7095-2024  
Date of Decision.:25.04.2024

Faruk Petitioner  
Vs.  
State of Haryana and Others Respondents

CORAM: HON’BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Talim Hussain, Advocate  
for the petitioner.  
  
Mr. Randhir Singh, Addl. AG, Haryana.

\*\*\*\*

**DEEPAK GUPTA, J. (ORAL)**

By way of this petition filed under Section 482 Cr.P.C., prayer is made to issue direction to respondent Nos.2 to 4 to investigate the matter fairly in case FIR No.523 dated 07.12.2022 registered at Police Station Punhana, District Nuh under Sections 148, 149, 323, 325, 341, 506 of the IPC (Sections 325 & 307 of the IPC added later on).

Today reply by way of an affidavit of Shri Narendra Bijarniya, IPS, Superintendent of Police, Nuh has been filed on behalf of respondent Nos.1 to 6. Para No.12 of the said reply is quite relevant, which reads as under:

*“That the case file was perused by the deponent on which it was found that there are multiple contradictory statements of the complainant/petitioner at various stages of investigation made before investigating officer. Firstly, the petitioner said that he has mentioned names of some persons wrongly in complaint given by petitioner on dated 07.12.2022 as these persons were not involved in the altercation with the petitioner. Secondly, the petitioner voluntarily submitted his affidavit alongwith his 4 companions duly signed by Village Sarpanch and Notary*

*Public in which he affirmed that the matter has been resolved amicably with the accused. He is trying to take some names as accused at one time and later on retracted from his statements. Thirdly, after giving affidavits of amicably resolving of issues he again made representations for taking action. This shows that petitioner gave complaints on doubtful facts. Whereas local police has investigated the matter properly in a fair and impartial manner based upon statements of eyewitnesses and independent witnesses. That from the above averments it is clearly revealed that the investigation of the present FIR has been conducted fairly, diligently and impartially by the investigating agency. The allegations levelled by the petitioner in the present petition against the police officials are false and baseless. The matter is pending before the trial court and is getting delayed to changing stance of the petitioner. Thus, the petitioner is not entitled to seek any relief and the present petition is liable to be dismissed with exemplary cost on the petitioner.”*

In view of the aforesaid reply as filed by way of an affidavit of SP concerned, showing the changing of stand by the petitioner time and again and the fact that now matter is pending before the Trial Court concerned, no direction is required to be given.

Disposed of.

( DEEPAK GUPTA )  
JUDGE

April 25, 2024  
Neetika Tuteja

|                           |        |
|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |