



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

CRM-M-13313-2024
Date of Decision : 09.05.2024

SHYAM LAL ALIAS SHYAM KUMARPetitioner

VERSUS

STATE OF HARYANA AND OTHERSRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sandeep Yadav, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

Mr. Rajesh Kumar Kadian, Advocate,
for respondent no.7.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, prayer is for issuance of a *mandamus* upon the official respondents no.2 and 3, to conduct fair and impartial investigation by transferring the investigation to some higher official in case FIR no.381, dated 15.12.2023, under Section 323, 427, 506 and 34 of the IPC, (Section 325 IPC added later on), registered at Police Station Beri District Jhajjar.

2. In compliance to directions issued by this Court vide order dated 15.03.2024, a status report dated 23.04.2024, by way of an affidavit of Pardeep Kumar, ACP, Beri, Distict Jhajjar, has been filed on behalf of respondent no.1-State, which is ordered to be taken on record.

3. As per paragraphs no.12 and 13 of the aforesaid status report it reflects that the investigation is already complete and the final report has been filed. The said paragraphs reads as under:-

“12. That during the course of investigation, on 17.12.2023 opinion regarding the injuries of the injured/petitioner for ascertaining whether the injuries are dangerous to life or not was obtained wherein it was opined that the injuries are only grievous in nature and hence Section 307 IPC is not attracted in the present case. Copy of medical opinion is inclosed as Annexure R-2

13. That during the course of investigation, involvement of any other accused was not found in the present case and hence no other person was arrayed as an accused in the present case.”

4. In view of the aforesaid specific stand of the State, no further direction is required to be passed by this Court. Therefore, instant petition is **disposed of**, however, with a liberty to the petitioner that in case his grievance still survives, he can raise before the learned trial Court concerned, at an appropriate stage of the trial.

May 09, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No