

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

210 CRM-M-40454-2022

DATE OF DECISION: 20.04.2024

BIRA RAM

...PETITIONER

Versus

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. B.D. Rana, Advocate for the petitioner(s).

Mr. G.S.Dhillon, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed for transfer of investigation of FIR No. 125 dated 12.05.2022 under Section 148/149/323/324/506 IPC registered at P.S. Guhla, District Kaithal (Annexure P-1) to any independent agency.

Status report by way of affidavit of Vivek Chaudhary, HPS, Deputy Superintendent of Police (AEC), Kaithal has been filed on behalf of the State, the same is taken on record.

Learned State Counsel has referred to the relevant paragraph of the affidavit i.e.reproduced below :-

“9. That during investigation Ranjit s/o Mewa Ram, Laxmi Rani w/o Balwinder Singh @ Binder, Pammi Bai w/o KULwant @ Harjit, Balwinder Singh, Harjeet s/o Bira Ram were not found at the spot during fight and also not found not inflicted injuries to anyone. As they were found innocent, they were not joined in the investigation. On 17.08.2022 accused Baljinder s/o Channa Ram, Harpal S/o Karnail Singh, Bira ram S/o Jammu Ram, Joginder S/o Channa Ram, Karnail S/o Jammu Ram, Hansraj s/o Bira

Ram, Sukhdev S/o Karnail Singh, Jagir s/o Mewa Ram residents of Hemu Majara were joined in the investigation and they produced their respective weapons which were taken in police possession wide recovery memo. All these accused made the disclosure statements and disclosed their involvement in the crime. Report under section 173(2) Cr.P.C against Baljinder s/o Channa Ram, Harpal s/o Karnail Singh, Bira ram s/o Jammu Ram, Joginder s/o Channa Ram, Karnail s/o Jammu Ram, Hansraj s/o Bira Ram, Sukhdev s/o Karnail Singh, Jagir s/o Mewa Ram was submitted in the court on 08-09-2022 in sections 323, 325, 148, 149 IPC.”

He submits that in the instant case, investigation is complete and final report under Section 173(2) Cr.P.C. has already been sent to the Court and even thereafter, charges have been framed on 23.12.2022 wherein 19 prosecution witnesses have been named and in that eventuality, the present petition has become infructuous.

Disposed of as having been rendered infructuous.

(SANDEEP MOUDGIL)
JUDGE

20.04.2024
anuradha

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