



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

CRM-M-48521-2019
Date of decision: 18.10.2024

Kapil Dev

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Jitender Nara, Advocate for the petitioner.

Mr. P.K. Aggarwal, DAG, Haryana.

Mr. Anil K. Sohal, Advocate and
Mr. Vaibhav Jain, Advocate for respondent No.8.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C for issuance of direction to respondents No.1 to 5 to take action in accordance with law against respondents No.6 to 8 on the basis of FIR No.1036 dated 08.10.2019, registered under Section 323, 324, 341, 506 and 34 IPC at Police Station Sadar Karnal.

2. Today, reply by way of affidavit of Nayab Singh, Deputy Superintendent of Police, Head Quarter, Karnal filed on behalf of respondents No.1 to 5 is taken on record along with Annexures R-1 and R-2. Copies thereof are supplied to counsel for the petitioner.

3. The State counsel submits that fair and impartial investigation was conducted in the aforesaid criminal case and police has presented untraced report before the Illaqa Magistrate concerned on 01.07.2024 and



the same is pending for consideration. The State counsel further submits that the present petition be disposed of in the light of the fact that the untraced report is already filed by the police.

4. The counsel appearing on behalf of the petitioner submits that the said untraced report has not been accepted till date by the Court of competent jurisdiction.

5. In light of the fact that police has already presented cancellation report, the present petition is hereby disposed of, having been rendered infructuous at this stage. However, in future if any cause of action survives in favour of the petitioner, he will be at liberty to approach this Court, again. The Court concerned is also directed to consider and decide the untraced report filed by the police in accordance with law, preferably within a period of next 6 weeks from the date of receipt of copy of this order.

6. However, it is made clear that any observation made herein above is not to be construed as an expression of opinion on the merits of the case.

18.10.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No