

261(1) IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-34712-2018
Date of order: 20.03.2024

HIRDAYA NAND TIWARIPetitioner

Vs.

STATE OF PUNJAB AND ORSRespondents

BEFORE: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- None for the petitioner.
Ms. Aakanksha Gupta, AAG, Punjab.
None for respondents No.5 to 7.

Nidhi Gupta, J. (Oral)

Petitioner has filed the present petition under Section 482 CrPC for issuance of directions to respondents No.1 to 4 to conclude the investigation of FIR No.0211 dated 19.06.2018 under Sections 363 and 366-A IPC registered at Police Station Sahnewal, District Ludhiana and to trace out the minor girl of the petitioner as also to investigate the role and connivance of respondents No.5 & 6 in the commission of the offences; with further prayer to direct respondents No.1 to 4 to add the provisions of Section 376 IPC and POCSO Act and to present the final report under Section 173 CrPC before the concerned Magistrate as the accused and respondents No.5 and 6 being influential, are threatening the petitioner and his family members to withdraw the case.

2. None is present on behalf of the petitioner.

3. Learned State counsel on instructions from ASI Karnail Singh submits that the girl in the present case has been recovered and has been

handed over to the petitioner. She further stated that the investigation in the

present case is concluded and the trial is underway. Challan in the case has been filed on 11.10.2021 and charges have been framed on 04.05.2022 and the next date of hearing before the learned trial Court is 05.04.2024.

4. Order sheet shows that on the last date of hearing i.e. 15.03.2022, previous counsel who was representing the petitioner had submitted before the Court that the petitioner had taken away the brief from him after getting “no objection” from him. Accordingly, notice was issued to the petitioner for 23.05.2022.

5. Office report shows that the notice issued to the petitioner has been received back unserved with the report that the petitioner has refused to accept the notice.

6. In the light of the position as noted above as well as the statement of learned State counsel, the present petition is disposed of as having been rendered infructuous. However, in case anything survives, liberty is granted to the petitioner to revive the same, within a period of three months from today, if so advised.

20.03.2024

'Amit'

(Nidhi Gupta)

Judge

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>