



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65088-2024 (O&M)

Date of decision: 29.01.2025

Suban Khan

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Rosi, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for issuance of directions to official respondents
to conduct fair and impartial investigation in the representation dated 09.10.2024
(P-6) which was sent by the petitioner against respondent No.6.

(2) Although there is no notice of motion in this case, but learned State
counsel has filed status report dated 25.01.2025 by way of affidavit of
Mr. Surender Kumar, HPS, Deputy Superintendent of Police, Hathin, District
Palwal, which is taken on record. Registry to tag the same at appropriate place.

(3) Para No. 3 of above status report is recapitulated as under:-

*“That earlier, the petitioner moved many applications to
the investigating agency upon which the statement of witnesses were
recorded by the investigating agency and now the petitioner moved an
application dated 09.10.2024 which is annexure P-6 which has been
received by the investigating agency vide diary No.5981-P dated
2.11.2024 moved by the petitioner. The investigating agency retrieved*

records related to the complaint from the complaint branch of Palwal. Upon reviewing the application and related records, the Deputy District Attorney (DDA) at the Superintendent of Police’s Office, Palwal, provided his opinion, which mentioned the applicability of sections 323 and 506 of the IPC along with Section 15(3) of the Indian Medical Council Act, 1956 and on the basis of which FIR No. 13 dated 21.01.2025, under Sections 323, 506 of IPC & Section 15(2) (B) of Indian Medical Council Act, has been lodged against accused Sakir at P.S. Uttawar, District Palwal upon which the application of Tayyab (brother-in-law of the petitioner) and the investigation of this case is going on, as such the present petition is not maintainable and liable to be dismissed.”

Perusal of the above extract clearly reveals that FIR No. 13 dated 21.01.2025, under Sections 323, 506 of IPC & Section 15(2) (B) of Indian Medical Council Act at P.S. Uttawar, District Palwal has already been registered at the instance of petitioner against accused.

- (4) In view of the above, no further directions are required to be issued in the matter.
- (5) Disposed off accordingly.
- (6) However, it is clarified that investigation in the above FIR be carried out expeditiously, in accordance with law.

Pending application(s), if any, shall also stand disposed off.

29.01.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No