

**CRM-M-65196-2024****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****117****CRM-M-65196-2024
Decided on: January 07, 2025****Manjeet Pannu****.....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH************Present: None for the petitioner.****Mr. Vipul Sherwal, AAG, Haryana,
for respondent Nos. 1 to 3.****Mr. Harmanjot Singh Gill, Advocate,
for respondent No. 4.************SANJAY VASHISTH, J.**

1. Present petition, under Section 528 of BNSS, 2023, has been filed by the petitioner – Manjeet Pannu, for issuance of direction to respondent No. 2 – Superintendent of Police, Panipat, to conduct fair and transparent investigation in FIR No. 209, dated 26.06.2024, under Sections 406 and 420 IPC, Police Station Israna, District Panipat, and to take appropriate legal action against the accused persons, namely, Dinesh Sharma (respondent No. 4) and Mukul Kumar (respondent No. 5), as also to protect the life and liberty of the petitioner at the hands of private respondents.

2. Petition taken up today thrice for seeking clarification from the petitioner that once a similar petition filed by him earlier, i.e. CRM-M-46083-2024, was dismissed being premature, vide order dated 17.09.2024 (Annexure P-10), what is new ground to file the present petition or to

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entertain the same. At the first instance, a pass-over was sought by the proxy counsel of Mr. Gaurav Arora, Advocate, who has filed the present as well as aforementioned earlier petition. However, thereafter no-one has put in appearance on behalf of the petitioner despite affording three opportunities in the day course.

3. On the other hand, on advance notice, Mr. Vipul Sherwal, Assistance Advocate General, Haryana, has appeared on behalf of respondent Nos. 1 to 3, and Mr. Harmanjot Singh Gill, Advocate, has appeared on behalf of respondent No. 4. Mr. Harmanjot Singh Gill, Advocate, has also filed his Vakalatnama, which is taken on record. Registry to tag the same at appropriate place of the paper book.

4. Mr. Vipul Sherwal, learned State counsel on instructions from SI Dharamveer, Police Station Israna, Panipat, submits that the investigation in the aforementioned FIR is almost over, wherein it is found that neither there is any specific role of respondent No. 4 – Dinesh Sharma nor there is any specific evidence in support of the allegations levelled against him. As such, while conducting investigation nothing incriminating has been found against respondent No. 4.

Learned State counsel further submits that so far as respondent No. 5 – Mukul Kumar is concerned, some substance has been found against him. He is already confined in jail in another case, and for securing his presence in the instant case, production warrants have already been issued by the concerned Court.

Learned State counsel also informs that final report is almost ready and would be filed before the Court in near future, once accused



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Mukul Kumar (respondent No. 5) is joined in the investigation by effecting his arrest in pursuance to the production warrants.

5. Mr. Harmanjot Singh Gill, learned counsel appearing for respondent No. 4 also submits that the present petition is nothing but a subtil device and misuse of the process of law by the petitioner, with a view to unnecessarily harass and black-mail respondent No. 4 – Dinesh Sharma, against whom nothing has surfaced during investigation by the Investigating Agency. He prays for dismissal of the present petition.

6. With the position explained hereabove by learned State counsel and counsel for respondent No. 4, and also for the reason that there is no representation on behalf of the petitioner despite adequate opportunities, I do not find any necessity to continue with the present petition. Accordingly, the same is dismissed as no cause of action exists in favour of the petitioner to agitate before this Court through the present petition.

(SANJAY VASHISTH)
JUDGE

January 07, 2025
Pkapoor

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