

(2012) 01 P&H CK 0256

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous M No. 1912 of 2012 (O and M)

Vivek Yadav

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 19-01-2012

Acts Referred:

Citation : (2012) 01 P&H CK 0256

Hon'ble Judges : Rameshwar Singh Malik, J

Bench : Single Bench

Judgement

Rameshwar Singh Malik, J.

CRM No. 3873 of 2012

1. Application is allowed subject to all just exceptions.

2. Criminal misc. application stands disposed of.

Criminal Misc. M-No. 1912 of 2012

3. Learned counsel for the petitioner, very fairly admits that as per the averments taken in para No. 6 of the petition, out of the total number of accused persons, seven persons have already been arrested by the Investigating Agency. However, the learned counsel for the petitioner still raises the apprehension that investigation may not be carried out, effectively. Learned counsel for the petitioner further states that the petitioner has got alternative remedy, as well.

4. During the course of hearing, when confronted with the judgment of Hon''ble the Supreme Court in the case of Sakiri Vasu Vs. State of U.P. and Others, learned counsel for the petitioner very fairly states that let this petition be dismissed as withdrawn, with liberty to avail the alternative remedy, in terms of law laid down by Hon''ble the Supreme Court in Sakiri Vasu''s case (supra).

5. In view of the statement made by learned counsel for the petitioner and without prejudice to the rights of the parties, the present petition is dismissed as

withdrawn with liberty as prayed for.

6. However, lest this order is misunderstood, it is made clear that as and when the petitioner moves an appropriate petition to the concerned authority under Chapter XII of the Code of Criminal Procedure, 1973, the same shall be considered, dispassionately and expeditiously, as warranted by law.

7. With the observations made above, the present petition is disposed of.