

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

**CRM-M-1661-2015**

**Date of decision: 12.05.2015**

**Kulwant Singh**

**... Petitioner**

**Vs.**

**State of Punjab and ors.**

**... Respondents**

**CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

Present: Mr. Amit Gupta, Advocate for  
Mr. Sanjeev Sharma, Advocate  
for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

\*\*\*\*\*

**RAMESHWAR SINGH MALIK, J. (ORAL)**

Petitioner, by way of instant petition under Section 482 of the Code of Criminal Procedure ('Cr.P.C.' for short), seeks a direction against the official respondents for registration of a case against private respondents No.7 to 9 for beating the petitioner and also keeping in view the MLR.

Notice of motion was issued and pursuant thereto, short reply by way of affidavit dated 23.03.2015 was filed on behalf of respondents No.1 to 6.

Learned counsel for the State, while referring to the averments taken in Paras 1 and 2 of the reply, submits that FIR No.47 dated 13.04.2014 under Sections 323, 325, 34 IPC, was registered at Police Station Jhabal against private respondents No.7 to 9. Investigation was carried out. On completion of investigation and on receipt of fresh opinion dated 13.03.2015,

untraced report was prepared and presented to the higher authorities for sanction on 15.03.2015. He further submits that the matter was approved by the higher Police Officers and thereafter, untraced report under Section 173 Cr.P.C. was finally prepared on 17.03.2015 for submission thereof, to the Court of competent jurisdiction. In this view of the matter, learned counsel for the State submits that no further orders are called for, in the present petition and the same may be disposed of, as such.

The abovesaid factual aspect of the matter, as narrated by learned counsel for the State, could not be denied by learned counsel for the petitioner and rightly so because it being a matter of record.

In view of the above, present petition is disposed of with a direction to Senior Superintendent of Police, Tarn Taran-respondent No.3 to look into the matter and ensure that the untraced report under Section 173 Cr.P.C. is presented to the learned Court of competent jurisdiction without any further loss of time, if not already presented and in any case within a period of one month from the date of receipt of certified copy of this order. It goes without saying that on the submission of untraced report, learned trial Court shall proceed further, in accordance with law and petitioner shall also be at liberty to seek redressal of his grievance, in accordance with law.

With the abovesaid observations made and directions issued, present petition stands disposed of.

**[ RAMESHWAR SINGH MALIK ]**  
**JUDGE**

12.05.2015  
*vishnu*