

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-24004-2015

Date of decision: 24.07.2015

Rajinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Rajinder Sharma, Advocate for the petitioner.

R.P. NAGRATH, J. (ORAL)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for issuance of a direction to respondents No. 1 to 3 to protect the life and liberty of petitioner at the hands of respondent No. 4-ASI Kulwant Singh, CIA Staff, Amritsar, with a further direction to respondents to allow the petitioner to take and use his Ford Fiesta Car No. PB-08-AW-9333, which was illegally detained by respondent No. 4 in the building of CIA Staff, Amritsar.

Learned counsel for the petitioner *inter alia* contends that vehicle No. PB-08-AW-9333 in the ownership of petitioner was taken by respondent No. 4 and kept the same in CIA Staff building. It is further contended that no FIR has been registered in this regard.

Notice of motion to respondents No. 1 to 3 only, at this stage.

On the asking of Court, Mr. Gazi Mohd., DAG, Punjab accepts notice on behalf of respondents No. 1 to 3.

Let requisite number of copies of paper-book be supplied to learned State counsel during the course of day.

In view of the nature of order that is proposed to be passed, no reply is required to be filed by the respondents.

The petitioner has already filed a representation dated 15.07.2015 (Annexure P-4) in this regard before respondent No. 2-Commissioner of Police, Amritsar City, Amritsar.

The instant petition is disposed of with a direction to respondent No. 2-Commissioner of Police, Amritsar City, Amritsar, to look into allegations contained in representation dated 15.07.2015 (Annexure P-4) and dispose of the same expeditiously and preferably within a period of three weeks, in accordance with law.

In case, the vehicle is required in some case either in a complaint or FIR, the aforesaid observations will not hamper the investigation of said case and in that case remedy to the petitioner would be only to apply before the Area Magistrate, for the release of said vehicle.

July 24, 2015
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(R.P. NAGRATH)
JUDGE