

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30940 of 2014

Date of decision: April 24, 2015

Gurmit Singh and another

.... Petitioners..

Versus

State of Punjab and others

.... Respondents..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sarju Puri, Advocate,
for the petitioners.

Ms. Priyanka Sadar, AAG, Punjab.

Jaspal Singh, J.

The instant petition has been preferred by Gurmit Singh and Gurpreet Singh, both are sons of Hardial Singh, residents of Ward No.1, Mahilpur, Tehsil Garhshankar, District Hoshiarpur under Section 482 of the Code of Criminal Procedure for issuance of directions to respondent No.3-DSP not to harass, humiliate and threaten them by repeatedly summoning and detaining them in his office at the instance of respondents No. 4 to 6 and further directing respondent No.2-SSP, Hoshiarpur to take immediate appropriate action against respondent No.3-DSP for unnecessarily harassing the petitioners at the behest of private respondents.

2. In response to the notice of motion issued by this Court, Ms. Priyanka Sadar, Assistant Advocate General, Punjab has appeared

and filed reply by way of affidavit of Sh. Manjit Singh, PPS, Deputy Superintendent of Police, Sub Division Garshankar, District Hoshiarpur on behalf of official respondents No. 1 and 2, in which following preliminary submissions have been made:-

1. *That the respondent No.4 Boota Ram submitted an application bearing No. 2197-SSP dated 15.7.2014 to the Senior Superintendent of Police, Hoshiarpur against the petitioner. The said application was marked to the respondent No.3 for enquiry. Both the parties were summoned by the respondent No. 3 in the enquiry. The complainant party did not come present in enquiry before the deponent. The petitioners came present before the respondent No. 3 in the enquiry but they did not get recorded their statements. From the contents of the application of the respondent No.4, the matter was found be of civil nature and as such the respondent No. 3 recommended to file the application of the respondent No. 4 and sent the enquiry report along with papers to SSP Hoshiarpur for further action. The SSP Hoshiarpur after going through the enquiry report, filed the application filed by the respondent No. 4. The true translation of enquiry report is annexed as Annexure R-1/T. Now, there is no application is pending enquiry against the petitioners before the answering respondents and their presence is not required in any enquiry before the answering respondents and as such the present petition is not maintainable and is liable to be dismissed.”*

3. A glance at the aforesaid reply transpires that complaint lodged, if any, by respondent No.4 has since been filed. Learned

counsel for the petitioner submits that instant petition be disposed of in view of the reply filed by official respondent(s).

4. Accordingly, petition is disposed of in view of the reply, which has been reflected above and the same stands dismissed having become infructuous. However, the petitioners shall be at liberty to approach this Court, in case any such need arises.

April 24, 2015
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(JASPAL SINGH)
JUDGE