

CRM-M-42373-2015 (O&M)

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

**CRM-M-42373-2015 (O&M).
Decided on: December 15, 2015.**

Surinder Mittal

.. Petitioner(s)

VERSUS

State of Punjab and others

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.K.S.Dadwal, Advocate,
for the petitioner.**

M.M.S. BEDI, J. (ORAL)

Petitioner claims that respondent No.5 by posing herself as incarnation of Hindu Goddess Dahi Shakti Maa has hurt the religious sentiments of the petitioner and that she had contacted him on telephone and offered money.

I have gone through the contents of the complaint submitted by the petitioner to the Senior Superintendent of Police, Kapurthala, Annexure P1 and the legal notice.

Counsel for the petitioner submits that the allegations mentioned in the complaint constitute cognizable offence warranting an enquiry or registration of FIR. The arguments raised by counsel for the petitioner regarding commission of offence on the basis of the material in the complaint appear to be debatable.

Notice of motion to the Advocate General, Punjab.

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On asking of the Court, notice has been accepted by Ms.Harpreet Kaur Athwal, DAG., Punjab, present in the Court.

Copy given.

Without entering into the controversy whether any cognizable offence is made out and leaving it to the concerned authorities, I deem it appropriate to dispose of this petition by issuing a direction to the Senior Superintendent of Police, Kapurthala, to look into the authenticity of the allegations in the complaint and to determine if any cognizable offence qua the petitioner is made out from the allegations.

The petition is disposed of with above said direction. However, it is observed that it will be open to the police authorities to form an opinion on the basis of enquiry whether any cognizable offence has been committed qua the petitioner on the basis of steps taken. It will be open to the above said authorities either to drop the proceedings or initiate action if deemed appropriate.

December 15, 2015.
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(M.M.S. BEDI)
JUDGE