

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M- 10093 of 2015
DECIDED ON: MAY 19, 2016

RAMAN KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Ms. Preeti Kalia, Advocate for
Mr. Rajinder Sharma, Advocate
for the petitioner.

Mr. K.S. Pannu, DAG, Punjab.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred under Section 482 Cr.P.C. seeking directions to respondents No.1 to 3 to protect the life and liberty of the petitioner as well his family members at the hands of respondent No.4 with further direction to respondent No.3 to register FIR against respondent No.4 and other police employees in view of complaints dated February 19, 2015, March 16, 2015 and March 16, 2015 (Annexures P-1 to P-3).

2. In pursuance of notice of motion issued by this Court, learned State counsel has already filed a reply in the shape of an affidavit of Amandeep

Singh, PPS, Assistant Commissioner of Police, Amritsar City.

3. Paras No.6 to 8 are relevant for the disposal of the instant petition:

“6. That the allegations of the petitioner the police kidnapped him from his house on 17.02.2015, it is found that his wife namely Pooja Sharma reported on 17.02.2015 on phone No.100 to Police Control Room that her husband is beating her. On this, two Head Constables went to the house of Pooja Sharma where they found that Raman Sharma is beating his wife namely Pooja Sharma. Accordingly, he (petitioner) was brought to the Police Station Gate Hakima, Amritsar where the matter was settled with the intervention of the respectable persons.

7. That during the course of enquiry it is found that Pooja Sharma has filed cases for against Raman Sharma i.e. the petitioner and his family members for levelling false allegations against her (Pooja Sharma) and the same are pending before the Hon'ble Court. Accordingly, the SHO Police Station Gate Hakima, Amritsar recommended to file the complaints as there is no need to take any action on the above complaints. A true translated copy of the enquiry report dated 31.3.2015 is annexed herewith as Annexure R-4/T and its true copy as Annexure R-4.

8. That on the receipt of the above report dated 31.3.2015, the Additional Commissioner of Police (Central), Amritsar perused the same and recommended to file the complaints as there is no need to take any action on the said complaints, vide its report dated 10.4.2015. Accordingly, the Commissioner of Police, Amritsar perused the report and ordered to file the same on 14.4.2015. A true translated copy of the report dated 10.4.2015 containing the approval dated 14.4.2015 by the Commissioner of Police, Amritsar is annexed herewith as Annexure R-5/T and its true copy as Annexure R-5.”

4. A glance at the afore-said paragraphs reveals that the matter has already been gone into deep and the police has come to the conclusion that allegations levelled in the afore-said complaints could not be substantiated by

the petitioner and as such the same have been filed.

5. In view of the afore-said facts and circumstances, instant petition has rendered infructuous and is disposed of, as such.

6. However, if petitioner still feels aggrieved, he can have recourse to the other remedies available to him under law.

MAY 19, 2016
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(JASPAL SINGH)
JUDGE