

233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-1382 of 2015 (O&M)
DECIDED ON: MAY 26, 2016

LAL CHAND BANSAL

.....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: Mr. J.S. Sodhi, Advocate for
Mr. Naresh Jain, Advocate
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

Mr. T.S. Khaira, Advocate
for respondent No.5.

Mr. Pankaj Jain, Advocate
for respondent No.6.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred under Section 482 Cr.P.C. seeking direction to respondent No.3 to protect the life and liberty of the petitioner at the hands of respondents No.5 and 6 with further direction to register the case against respondents No.5 and 6 for committing fraud of crores of rupees with the general public as well as with the petitioner and for misappropriating the shamlat land.

2. In pursuance of notice of motion issued by this Court, official respondents filed reply in the shape of an affidavit of Raj Balwinder Singh Marar, PPS, Deputy Superintendent of Police, Kharar, Distt. SAS Nagar (Mohali).

3. Preliminary submissions No. 2 to 4 are relevant for the disposal of the instant petition, which reads as under:

“2. That it is respectfully submitted that factual matrix leading to the instant petition is that a complaint dated 04.06.2013 was made by the petitioner to the Senior Superintendent of Police, District SAS Nagar (Mohali) for taking legal action against Jarnail Singh Bajwa, Managing Director, Bajwa Developer for threatening him to stop seeking information under RTI Act against the fraud of crores of rupees by him. The same was inquired by SHO, Police Station City Kharar, District SAS Nagar (Mohali) who joined both the parties and recorded their respective statements. It is pertinent to mention here that the petitioner got recorded in his statement dated 12.08.2013 that he did not want any action on his complaint. Accordingly, the complaint of the petitioner was filed in the office after approval from Senior Superintendent of Police, District SAS Nagar (Mohali).

3. That it is respectfully submitted that thereafter the petitioner filed a complaint dated 03.09.2013 before the Senior Superintendent of Police, District SAS Nagar (Mohali) and a complaint dated 11.11.2013 with the Deputy Superintendent of Police, Kharar and a complaint dated 22.11.2013 with Senior Superintendent of Police, District SAS Nagar (Mohali) which were jointly and effectively inquired by the Incharge EO Wing, Mohali. From the inquiry it came to light that the petitioner had already filed complaint bearing NO. 2915/S/SSP dated 07.09.2013 and had also made a complaint bearing No. SAS/45229 dated 17.10.2013 at 181 Punjab Police Helpline which was duly inquired and finding no

substance in the same, the same were filed in the office after the same were approved by Senior Superintendent of Police, District SAS Nagar (Mohali) on 25.01.2014.

4. *That it is respectfully, submitted that in the meantime the petitioner had recorded his statement dated 30.09.2014 with ASI Sikander Singh which was recorded in the daily diary register vide DDR entry No. 29 dated 30.09.2014. It is submitted that pursuant to the recording of statement of the petitioner, the calendera under Section 107/151 Cr.P.C. was presented before the Ld. Court of competent jurisdiction vide DDR No. 26 dated 27.10.2014.”*

4. A glance at the afore-said paragraphs reveals that the matter has already been enquired into by a senior officers and came to the conclusion that allegations levelled in various complaints could not be substantiated by the petitioner and as such after the approval of Senior Superintendent of Police, Mohali 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 26, 2016
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(JASPAL SINGH)
JUDGE