

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

CRM-M-26366 of 2016

Date of Decision: August 03, 2016

Gurcharan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ravinder Singh Bassi, Advocate
for the petitioner.

FATEH DEEP SINGH, J.

The petitioner-Gurcharan Singh an ex-employee of Punjab Police, who worked from the year 1976 till his retirement suddenly appears to have woken up from his slumber and has sought to invoke the inherent jurisdiction of this Court by filing the instant petition under Section 482 Cr.P.C. The prayer that has sought to be made in this petition is for holding high level enquiry against respondents No.2 to 6 who are Senior functionaries of the Police for extra-judicial killings in fake encounters. It is claimed by the petitioner to have been a witness to such incidents during his period of employment. The petition which partakes the character more of a public interest litigation necessitates implementation of certain principles which needs to be taken note of the very probity of this individual, who apparently has been out of service feels disgruntled. He had never

represented to any functionaries about these instances which apparently alleged took place in the period 1991-92 of which the petitioner claims that he had full knowledge having been present at that occasion. The present petition has come up in the year 2016 when apparently to the mind of this Court there is some sort of heart burning having cropped up qua his superiors for having not been bestowed with any favour and that what appears to have been responsible for awakening of his conscience and that too after more than 25-26 years of these alleged instances apparently nothing but wrecking of personal vengeance a revenge by disgruntle petitioner for a motivated cause for an oblique purpose. The court cannot be used as a tool of such machination to achieve the personal ends. The petition is not only based on absurd averments but unsubstantiated allegations by way of hearsay. Such elements need to be discouraged and desisted from filing such frivolous petitions.

Finding no merits the present petition stands dismissed with exemplary cost of ₹50,000/- which shall go to the Free Legal Aid Clinic of the High Court and would be recovered as arrears of land revenue.

(FATEH DEEP SINGH)
JUDGE

August 03, 2016
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No