

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-37857 of 2014
Date of decision: April 06, 2016.

Harkaran Singh and others

... **Petitioners**

v.

State of Punjab and others

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. K.S. Boparai, Advocate for the petitioners.

Mr. Ashish Sanghi, Deputy Advocate General, Punjab.

Mr. Vineet Soni, Advocate for respondent No.4.

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

Kuldip Singh, J. (Oral):

The prayer in the present petition is for directing the official respondents No.1 to 3 to get the case investigated from any gazetted officer of any other investigating agency and to complete the investigation after collecting the evidence in accordance with law and submit the final report in the criminal case registered vide FIR No.106 dated 2.8.2010 under Sections 427, 432 IPC at Police Station Derabassi, District Mohali, for obstructing the natural flow of rain water illegally and forcibly causing damage to the public property and property of the petitioner. Further prayer is to investigate the complaint dated 18.7.2014 (Annexure P-17) filed by the complainant.

On behalf of the State, it is stated that the FIR in question was investigated and untraced report has been filed, which has been accepted

by the lower court. Regarding the complaint filed by the complainant, it is stated that it was also investigated and challan has been presented against petitioner No.2. The petitioners are not satisfied with the investigation and want to file a criminal complaint before the competent court.

In view of what has been stated above, Learned Counsel for the petitioners withdraws the present petition with liberty to file a criminal complaint before the competent court.

Dismissed as withdrawn with aforesaid liberty.

Counsel for the respondent No.4 states that on the same allegations mentioned in the complaint, a writ petition was filed, which was dismissed. If it is so, respondent No.4 can always take all the appropriate pleas before the lower court.

April 06, 2016.
kadyan

[Kuldip Singh]
Judge