

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

(127)

CRM-M-38751-2016

Decided on: October 27, 2016.

Balvir Singh

.... Petitioner

Versus

State of Punjab and others

..... Respondents

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

Present: Mr. B.S. Aulakh, Advocate, for the petitioner.

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

Amandeep Singh was convicted by Additional Chief Judicial Magistrate, Sri Muktsar Sahib in a complaint case under Section 325/324/148/149 IPC lodged by the petitioner. He filed an appeal through his counsel.

The Appellate Court dismissed the appeal while the appellant was not present. The Appellate Court had directed the trial Court to get the sentence of imprisonment executed upon convict Amandeep Singh.

The petitioner, who is a complainant, has filed the present petition under Section 482 Cr.P.C for a direction to the respondents No. 2 and 3 to investigate the matter and take appropriate legal action against respondents No.4 to 9 alleging that they are involved in fraud and cheating committed with the Courts below by arranging the escape of the accused.

Learned counsel for the petitioner relies upon certain documents which include the form for getting passport. The grievance of the petitioner is that the private respondents facilitated issuance of passport and escape of Amandeep Singh convicted in a private complaint in the case of assault.

I have considered the contentions of learned counsel for the petitioner and the representations Annexures P-4 and P-5.

The petitioner in his complaint Annexure P-4 addressed to Senior Superintendent of Police, Sri Muktsar Sahib has leveled allegations that Amandeep Singh had been sent abroad by involvement of his brother Nirmal Singh and uncle Angrej Singh who have on the basis of false documents prepared, sent Amandeep Singh abroad without disclosing his conviction in the criminal case.

After going through the allegations, it appears that the petitioner himself being vindictive against Amandeep Singh by filing representations Annexures P-4 and P-5, also seeks to involve the brother and uncle of Amandeep Singh.

Perusal of the representations indicates that the allegations are vague regarding the culpability of the private respondents.

In said circumstances, no direction can be given by this Court to the concerned authorities to act on the basis of the allegations of the petitioner.

The petition is dismissed.

This order will not in any manner prejudice the right of the petitioner to avail other alternative remedy available to him in accordance with law by raising specific allegations pertaining to the culpability of the private respondents.

(M.M.S. BEDI)
JUDGE

October 27, 2016
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No