

CRM-M-6464-2016

Date of Decision : 09.08.2016

Sewak Singh

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Harpreet Singh Multani, Advocate
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

Mr. L.S. Sidhu, Advocate
for respondent No. 5.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner had registered an FIR against the private respondents alleging that he had been elected as Sarpanch of the village and accused Avtar Singh in connivance with Kuldeep Singh and Harjit Singh filed a fake complaint against the petitioner that he is having two names i.e. Sewak Singh and Gursewak Singh and had asked for an enquiry and also demanded money from the petitioner for closing the matter. The allegation against the accused respondents is that they forged the signatures of the petitioner and prepared a forged resignation letter on his behalf.

Learned State counsel, on the instructions of Head Constable Darshan Singh, has informed that cancellation report has been prepared but it has not yet been accepted by the Senior Superintendent of Police.

Learned counsel for the petitioner has submitted that the forged resignation letter, despite repeated requests, has not been sent for

scientific investigation by the investigating agency and that he has got a right to raise grievance.

Since the cancellation report has not yet been accepted, it will always be open to the petitioner to raise protest in writing against the unfair investigation to the senior police officers. However, if cancellation report is presented despite said protest, it will be open to the petitioner to file protest petition at appropriate time.

With the said observations, I do not deem it appropriate to grant any relief as the prayer for transfer of investigation, at this stage, cannot be ordered. However, disposal of this petition will not affect the right of the complainant to claim further investigation by filing protest petition.

Disposed of with the aforesaid observation without prejudice to the right of the petitioner.

(M.M.S. BEDI)
JUDGE

09.08.2016
Neha

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No