

CRM-M-9282 of 2015 (O&M)
Date of decision: August 10, 2016

Anmoldeep Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Harmeet Kaur, Advocate for
Ms. Jatinder Jit Kaur, Advocate
for the petitioner.

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

Mr. Atul Jain, Advocate
for respondents No.4 to 7.

Mr. Vivek K. Thakur, Advocate
for respondents No.8 to 14.

JASPAL SINGH, J.(ORAL)

By virtue of this petition preferred under Section 482 Cr.P.C., petitioner has sought the direction to official respondents to protect the life, liberty and property of the petitioner at the hands of respondents No.4 to 14.

In response to notice of motion, reply by way of an affidavit of Piara Singh, PPS, Deputy Superintendent of Police, Sultanpur Lodhi, District Kapurthala, has been filed. The preliminary objections raised in the reply is relevant, which is reproduced as under:

“That Rajwinder Kaur the mother of the petitioner Anmoldeep Singh moved an application dated 06.02.2015 to the SHO Police Station Talwandi Chaudharian, who consigned to record room as the same was found false. Thereafter she moved another representation dated 09.02.2015 bearing No.197-SPC dated 09.02.2015 to the Senior Superintendent of Police,

Kapurthala, who marked the same to the Deputy Superintendent of Police, Sub Division Sultanpur Lodhi and ultimately it was entrusted to ASI Jaspal Singh Police Station Talwandi Chaudharian. On the basis of enquiry, he came to the conclusion that a house is constructed on the land measuring 14 marlas in village Thattha Nawan which was given to Piar Kaur by her husband Gurbachan Singh through his Will. Rajwinder Kaur is making a false complaint against her mother in law Piara Kaur. The Enquiry Officer has recommended for consigning the said application to record room as the same is false one vide his report dated 02.03.2015. The report was agreed and finally approved by the Senior Superintendent of Police, Kapurthala on 25.04.2015. Hence the petitioner has no cause of action to invoke the jurisdiction of this Hon'ble High Court as such the petition is liable to the dismissed qua the answering respondents”.

A glance at the afore-said paragraph makes it crystal clear that a detail inquiry was conducted and the inquiry officer has recommended for consigning of said complaint/application to the record room, as it was found false vide report dated 02.03.2015. The report was accepted and finally approved by Senior Superintendent of Police, Kapurthala

In view of afore-said facts and circumstances, instant petition has rendered infructuous. As such it stands disposed of.

However, petitioner shall be at liberty to have recourse to the other remedies available to them under the law.

August 10, 2016
sham/m. sharma

(JASPAL SINGH)
JUDGE