

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

CRM-M-9942-2016
Decided on: March 21, 2016

Sushank Singla @ Ashu

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Sant Pal Singh Sidhu, Advocate
 for the petitioner.

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

The petitioner is an accused in a case registered at the instance of complainants – Gaurav Garg and Gopal Singh alleging that the complainant-party had supplied rice to the petitioner but the petitioner has failed to pay the sale consideration of the material handed over to him.

Learned counsel for the petitioner submits that there is a dispute regarding the business transactions as the complainant-party has supplied inferior quality of material to the petitioner. He also submits that the case, at the most, is a dispute of civil nature which has been converted into a criminal case to pressurize the petitioner to settle the terms under threat and coercion.

Learned counsel for the petitioner has also alleged mala fide against the complainant and the investigating agency and submitted that the investigation being not fair, it should be transferred to an independent agency.

After hearing learned counsel for the petitioner and without expressing any opinion on the merits of the case, it is observed that the petitioner has already approached senior police authorities i.e. Additional

Director General of Police, Punjab, vide his representation (Annexure P-1) dated 02.03.2016.

Notice to Advocate General, Punjab.

On the asking of the Court, Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab who is present in the Court accepts notice on behalf of the State. Copy supplied.

In the interest of justice, the petition is disposed of with a direction that the representation submitted by the petitioner (Annexure P-1) will be got looked into by the competent authority and in case it transpires that the matter is not being fairly looked into, necessary steps will be taken to take a decision on the representation (Annexure P-1) preferably within a period of one month.

It is made clear that in case no representation as Annexure P-1 has been submitted, it will be open to the petitioner to file a fresh representation to the senior police officers for fair investigation of the matter.

(M.M.S. BEDI)
JUDGE

March 21, 2016

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