

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

COCP No.3199 of 2016

Date of Decision:-10.03.2017

Mohinder Singh Jhand.

.....Petitioner

Versus

Harmohan Singh Sandhu.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sahil Soi, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

The petitioner is averred to have made a complaint in July 2015 to the Police against Surinder Singh the previous Sarpanch and other residents of the village, who in connivance with each other had illegally taken over *Mushtarka Malkan* land reserved for *Gairmumkin* latrines comprised in *Khasra* No.74 measuring 10 Marlas vide *jamabandi* for the year 1997-98. Since no action was taken by the SHO concerned the petitioner is alleged to have made a representation to SSP Rural, Jalandhar on 24.06.2015.

The petitioner is stated to have filed CRM-M No.44321 of 2015 seeking issuance of directions for registration of FIR, however, the said petition was got disposed of vide order dated 06.01.2016 with a direction to the SSP to look into the grievance raised in the representation

and if substance is found to take appropriate action in accordance with law

within a period of three months.

Learned Counsel for the petitioner submits that no speaking order has been passed.

It is evident that there was no such directions given or can be given when SSP concerned is required to pass any speaking order. In a criminal complaint direction was to take appropriate action if made out in accordance with law. If no FIR has been registered it can be reasonably inferred that there was no merit in the allegations raised by the petitioner. It is not in dispute that the petitioner is not remediless, which to date he has failed to avail.

In view of the above, no case for initiation of contempt proceedings is made out.

Dismissed.

(JASWANT SINGH)
JUDGE

March 10, 2017
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>