

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

**CRM-M No.14161 of 2017
Date of Decision: 26.04.2017**

Sultan Singh

.....Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Rajesh K. Dadwal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(ORAL)

Learned counsel for the petitioner contends that relative of the petitioner namely Nishabar Singh was an accused in FIR No.27 dated 05.05.2014 registered under Section 382 IPC at Police Sadar Budhlada, Mansa. He was granted anticipatory bail by this Court on 08.12.2014 in the presence of the police. The police did not inform the trial Court intentionally and as a result of that, he was declared as proclaimed offender. Thereafter, police raided the house of Nishabar Singh on 07.09.2016. When Nishabar Singh was not found in the house, then FIR No.68 dated 07.09.2016 was registered against his wife and other co-villagers for the offences under Sections 353, 186, 332, 224, 225, 212, 216, 148, 149 IPC and Section 25 of the Arms Act. Petitioner got Nishabar Singh surrendered on 10.09.2016 before Investigating Officer, Makhan Singh who instead of arresting Nishabar Singh in FIR Nos.27 and 68, lodged an independent

case bearing FIR No.42 dated 11.09.2016 under Sections 22, 61, 85 of the NDPS Act.

Petitioner feeling aggrieved against the action of the police, filed CRM-M No.33227 of 2016, in which direction was issued by this Court on 19.09.2016 while disposing of the criminal miscellaneous to file detailed representation before the Inspector General of Police and in the event of filing such representation, the same shall be decided in accordance with law within a stipulated period.

In pursuance of order dated 19.09.2016, petitioner filed a detailed representation before the police, but no action has been taken till date, except statements having been recorded by one ASI.

Notice of motion.

On the asking of the Court, Mr. Shilesh Gupta, Addl, AG, Punjab accepts notice on behalf of respondents No.1 to 5-State.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon reply.

This petition can be disposed of at this stage by obligating respondents No.3 and 4 to take notice of the situation as pleaded by the petitioner and pass appropriate order in accordance with law. It will be appreciated if the needful is done

within a month from the date of receipt of certified copy of this order.

Disposed of accordingly.

26.04.2017
prince

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No