

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

CRM-M-2302-2017 (O&M)

Date of decision: 21.3.2017

Hakeem Dalip Singh

....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. R.K. Girdhar, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.P.C.'), the petitioner has sought two-fold relief namely direction for an independent inquiry against the police officials who fraudulently obtained signatures of the petitioner and later forged a compromise with respondent No.7 and also an inquiry with regard to registration of false FIR No.94 dated 15.11.2016 registered at Police Station Kabarwala, District Sri Muktsar Sahib for offence punishable under Sections 365, 376, 328 and 120-B of the Indian Penal Code, 1860 (in short 'IPC').

Counsel for the petitioner has submitted that the petitioner submitted a representation to the police authorities with regard to the complainant having committed a theft of Rs.26,000/- from his house but no action in this regard has been taken. The controversy in this regard is squarely covered by the judgment of this Court **Jaswinder Kaur vs. State of Punjab, 2014(1) R.C.R.(Criminal) 569**. Accordingly, the petitioner may avail appropriate remedy in terms thereof.

So far as ordering an inquiry with regard to FIR No.94 dated 15.11.2016 is concerned, the Constitution Bench of Hon'ble the Supreme Court of India in **Lalita Kumari vs. Govt. of U.P. and others, 2013(4) RCR (Criminal) 979**, has strongly discouraged

conducting of inquiry by the police in respect of an offence because the police is required to conduct investigation, in accordance with law, to find out if the allegations levelled by the complainant are correct or otherwise.

Disposed of accordingly.

MARCH 21, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No