

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 109

CRM-M-4993-2017

Decided on : 17.02.2017

Bakhshish Singh and another

..... Petitioner(s)

VERSUS

State of Punjab and others

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. K. S. Brar, Advocate, for the petitioner(s).

DEEPAK SIBAL, J. (ORAL)

The brief facts of the case as borne out from the averments in made in the present petition, are that petitioner No. 1 was tried and convicted for offences under Sections 302 and 307 IPC and Sections 25, 27, 54 and 59 of the Arms Act. He was sentenced to life imprisonment. He has filed an appeal before this Court which is admitted and pending and his sentenced has been ordered to be suspended. It is further alleged in the petition that respondent No. 4 is raiding the petitioners' house and threatening them to involve them in a false case. Being aggrieved with such action, they have filed applications/representations (Annexures P-1 and P-2) before respondents No. 2 and 3 which have not been responded to.

In view of the above circumstances, the present petition has been filed under Section 482 Cr. P. C., for issuance of a direction to respondents No. 2 and 3 to take an action on the afore-referred applications filed by the petitioners. A further direction is sought to respondents No. 2 and 3 to take legal action against respondent No. 4, who is allegedly misusing his powers by harassing the petitioners.

The averments made in the present petition for seeking a direction against respondent No. 4 can be termed as nothing but vague. No date, time or other specifics as to when and in what manner respondent No. 4 threatened the petitioners are found in the petition. It has also not been averred as to why such threats were being given. No details with regard to the alleged raids conducted upon the petitioners' house are borne out from the petition. The directions sought in the present petition to respondents No. 2 and 3 to act against respondent No. 4 would have serious consequences qua respondent No. 4 since respondent No. 4 is a police officer and respondents No. 2 and 3 are his superiors in office.

Even otherwise, the petitioners have very recently filed representation(s) before respondents No. 2 and 3 with regard to their grievances. Without giving them reasonable time even to consider the representations, the petitioners have rushed to this Court for issuance of the directions under Section 482 Cr. P. C.

In view of the above, at this stage, I am not inclined to exercise my jurisdiction under Section 482 Cr. P. C.

Dismissed.

However, liberty is granted to the petitioners to approach this Court at a later date if respondents No. 2 and 3 do not respond to the afore-referred representation(s) made by the petitioners within a reasonable time, by giving specific and better particulars.

17.02.2017
shamsher

[DEEPAK SIBAL]
JUDGE

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