

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

CRM-M No.7266 of 2017

Date of Decision: 28.03.2017

Gurmukh Singh

-Petitioner

VS

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner seeks issuance of necessary directions to respondents No.2 and 3 in the context of his representation dated 20.02.2017.

As per pleadings made in the petition, the uncle of the petitioner Tarwinder Singh @ Tally is a Non-Indian Resident who had come to India and was involved in a murder case. In connection of that murder case, petitioner is alleged to have advanced some money to one Harminder Singh Saini and his wife Charanjit Kaur in presence of one Harbans Singh, Sarpanch of village Tut Kalan, District Jalandhar. Needful was not done even after payment of Rs.46 lacs and the petitioner moved a complaint to respondent No.2 on 20.05.2016. An inquiry was done on the said complaint and even FIR No.109

dated 06.08.2016 under Section 420 IPC and 8 and 9 of Prevention of Corruption Act was registered in Police Station Sadar Phagwara against Harinder Singh Saini. The said case is pending in the court of Additional Sessions Judge, Kapurthala after filing of the challan. Thereafter, allegations have been made in respect of harassment meted to the petitioner by respondent No.4. The representation of the petitioner is statedly pending before respondent No.2.

Notice of motion.

On the asking of the Court, Mr. P.S. Ghuman, Additional A.G., Punjab accepts notice on behalf of respondents No.1 to 3.

At this stage, in view of nature of order which this Court proposes to pass, there is no necessity of filing any reply to the petition as no order prejudicial to interest of any of the party is being passed.

This petition is disposed of with a direction to respondent No.2 to look into the grievance of the petitioner independently without being influenced by any of the pleadings and observations made in the context of present petition for the time being. If some cognizable offence is found to have been committed, then respondent No.3 can be asked to act in accordance with law. If no cognizable offence is found to have

been made out, then the petitioner may be informed in view of parameters as laid down in **Lalita Kumari v. Govt. of U.P. (2014) 2 SCC (1).**

28.03.2017
jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No