

CWP No.11204 of 2017

[1]

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

**CWP No.11204 of 2017
Date of decision:21.07.2017**

Kiranjit Singh @ Raja

...Petitioner

Versus

State of Punjab and another

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. P.S.Ahluwalia, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has filed this half-baked petition because on one hand, he has allegedly applied for an information under the Right to Information Act, 2005 (hereinafter referred to as the "Act"), which has not been supplied to him, and on the other hand, without having the requisite information, he is asking for a direction to constitute a Special Investigating Team to further investigate into FIR No.69 dated 30.05.2016, registered under Sections 18/22/61/85 of the NDPS Act at Police Station Sadar, Kapurthala.

It is not disputed that the investigation in the said FIR has already been over and the report under Section 173 Cr.P.C. has been presented before the Court.

One of the grievances, raised by counsel for the petitioner during the course of arguments is that the Additional Director General of Police is not giving the required information to him, though the application was filed on

18.02.2017.

After hearing learned counsel for the petitioner and examining the available record, I am of the considered opinion that there is a complete procedure prescribed under the Act for seeking information. In case the information is not supplied by the concerned officer, then there are provisions of appeal to be filed before the higher authorities in the same department.

In view of the above position, the present writ petition for issuance of a direction, on the basis of the information which is not provided, is not maintainable and is dismissed as such, however, liberty is granted to the petitioner to first exhaust his remedy under the Act and in case the information is not supplied to him, then he may have the remedy to approach this Court by filing the writ petition.

July 21, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No