

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

(112)

CWP-12212-2017

Decided on: May 31, 2017.

Kewal Krishan Sood and another

.... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Hittan Nehra, Advocate, for the petitioners.

M.M.S. BEDI, J (ORAL)

Petitioners are aggrieved by the lodging of FIR No.138 dated 28.04.2017 at Police Station Focal Point, Ludhiana inter alia on the ground that on the basis of number of grounds including the fact that complaint dated 26.12.2014 had earlier been investigated by AIG (Investigation) and vide investigation report dated 10.03.2016, Director Bureau of Investigation and IG Crime Punjab had found the allegations to be false and that a complaint under Section 156 (3) Cr.P.C. had earlier been dismissed by the Chief Judicial Magistrate, Ludhiana.

It has also been argued that inquiry, as required as per the directions in *Lalita Kumari Vs. Government of Uttar Pradesh & Ors. (2008) 7 SCC 164*, has not been undertaken.

The FIR has been registered only on 28.04.2017. All the points raised by the petitioners, can be taken into consideration during course of investigation, if brought to the notice of the investigating agency in accordance with the procedure.

Learned counsel for the petitioners, at this stage, seeks permission to withdraw the petition to submit a detailed representation to

the senior police officers and point out the patent abuse of process of law with liberty to approach this Court again, in case the prosecution agency does not fairly investigate the matter causing prejudice to the petitioners.

Disposed of as withdrawn.

(M.M.S. BEDI)
JUDGE

May 31, 2017
harsha

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