

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

(110)

CWP-5213-2017

Decided on: March 15, 2017.

Sunil Kumar

.... Petitioner

Versus

State of Haryana and others

..... Respondents

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

Present: Mr. J.P. Sharma, Advocate, for the petitioner.

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

Through instant petition, petitioner seeks a direction to the official respondents for launching disciplinary proceedings against the police officials who were responsible for involving the petitioner and his co-accused in a criminal case.

After hearing learned counsel for the petitioner, it transpires that the petitioner was not challaned and co-accused of the petitioner have been acquitted.

Petitioner having not been challaned by the police and he having not been even summoned as accused, the locus standi of the petitioner to launch prosecution against any police official, is a debatable issue.

Taking into consideration the peculiar circumstances of the case where the petitioner has neither been prosecuted nor made to face trial, he does not have a locus standi to seek disciplinary action against the police officials especially when co-accused of the petitioner stand acquitted on the basis of compromise.

There being no legal enforceable right against the alleged police officials, the petition is dismissed.

**(M.M.S. BEDI)
JUDGE**

March 15, 2017

harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No