

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-20363-2018

Date of decision: 14.05.2018

Jagtar Singh and another

...PETITIONERS

VERSUS

State of Punjab and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Surinder Garg, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the learned counsel for the petitioners that respondents No. 5 and 6 submitted a complaint to the Deputy Superintendent of Police, Mansa, against the petitioners that they had defrauded the said respondents, which was gone into and finding no merit therein, the matter was dropped. Thereafter, a complaint has been submitted to respondent No. 4-Jagdish Rai Sharma, Incharge, CIA Staff Mansa, District Mansa, who is related to respondents No. 5 and 6 and in the light of the relationship between respondent No. 4 and respondents No. 5 and 6, the petitioners have been harassed and unnecessarily have been forced to make certain payments which have already been made to the complainant.

Counsel states that the petitioners have all the documentary evidence to

substantiate that the loan amount taken by the petitioners from respondents No. 5 and 6 has been duly paid off. He, therefore, states that the petitioners, in any case, are ready to join the enquiry proceedings also and the petitioners would have no objection to produce the documents to substantiate the same. They have also approached the Senior Superintendent of Police, Mansa-respondent No. 3 by way of representation dated 27.04.2018 (Annexure P-1) and thereafter, a notice through counsel dated 01.05.2018 (Annexure P-2). Counsel contends that the petitioners, at this stage, would be satisfied if a direction is issued to the Senior Superintendent of Police, Mansa-respondent No. 3 to look into the allegations of the petitioners and the grievance, as has been highlighted, and a direction be issued to respondent No. 4 to issue notice under Section 160 Cr. P.C. if the petitioners are required for any enquiry.

In view of the above, without going into the merits of the case or commenting thereon, the present petition is disposed of with a direction to the Senior Superintendent of Police, Mansa-respondent No. 3 to look into the representation of the petitioner and in case, the enquiry is held against the petitioners by respondent No. 4, a proper notice under Section 160 Cr. P.C. be issued to them.

May 14, 2018*pj***(AUGUSTINE GEORGE MASIH)****JUDGE****Whether speaking/reasoned: Yes/No****Whether Reportable: Yes/No**