

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

CRM No.1246 of 2018 in/and
CRM-M-19565 of 2014
Date of Decision:15.10.2018

Karamjit SinghPETITIONER
Vs.

State of Punjab and othersRESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr.R.S.Bains, Advocate for the applicant-petitioner.

Mr.Rajat Bansal, AAG, Punjab.

RAJBIR SEHRAWAT, J.(Oral)

CRM No.1246 of 2018

This is an application for early hearing of the main case.

Heard.

With the consent of the parties, main case itself is taken on board for
final decision today.

CRM stands disposed of.

CRM-M-19565 of 2014

Present petition has been filed for issuance of directions to
respondents No. 1 to 3 to take legal action against respondents No.4 to 6 for
giving beating and harassing the petitioner during custody in case FIR No.56
dated 13.04.2014, under Sections 399 and 402 IPC, registered at Police Station
Lohian, District Jalandhar.

The present petition is filed with the submission that the petitioner
was falsely implicated by respondents No. 4 to 6 in this case due to political
reason. He was illegally picked by respondents No. 4 to 6 and was confined at

Police Station Lohian, District Jalandhar. All this illegal exercise was done by respondents No.4 to 6 because the petitioner was not supporting the local leaders of the ruling party. Even, the family members of the petitioner and respectables of the village had met the police on 12.04.2014 for release of the petitioner. However, on the next date i.e. on 13.04.2014, the petitioner was involved in the case mentioned above.

It is further pleaded in the petition that thereafter; still another false case was thrust upon the petitioner in the form of FIR No.58, dated 13.04.2014, registered under Section 22 of the NDPS Act, at Police Station Lohian, District Jalandhar. It is also pleaded in the petition that it is due to the police beatings, that the petitioner was medically examined and the injuries were found on the body. After production before the Court on 16.04.2014, the petitioner was again badly beaten by respondents No.4 to 6. Therefore, the petitioner had to be referred to the emergency at Civil Hospital, Kapurthala on 17.04.2014.

With these allegations, the present petition was filed.

Learned counsel for the petitioner points out that in the above said cases, petitioner already stands acquitted by the competent Courts. No further proceedings were taken by the prosecution in those cases. It is further contended that besides both the above said cases, other cases were also been fabricated by the police against the petitioner. However, in those cases as well, the petitioner stands acquitted. It is also contended by the counsel that, in as many as four cases, the petitioner was falsely involved by respondents No. 4 to 6 and in all the four cases, he has been acquitted. Counsel for the petitioner further contends that although the Courts have done justice to the petitioner, so far as the false cases thrust upon the petitioner are concerned, however, the point of beatings

given while the petitioner was in custody, has remained unadjudicated so far.

However, this Court finds that all the cases against the petitioner have already been decided in his favour. No fresh false case has been alleged by the petitioner. So far as the earlier false implication and the beatings given to the petitioner; while in custody; are concerned, the petitioner is having his remedies available to him, as per the law.

In view of the above, this Court finds that keeping the petition pending, any more, with this Court will not be a useful exercise. Therefore, the same is disposed of as having served its purpose. However, so far as the harassment and beatings caused to the petitioner by respondents No. 4 to 6 by misusing their official authority are concerned, the petitioner is granted liberty to avail alternative remedies in accordance with law, if so considered appropriate by him.

It is further clarified that since the petitioner has been pursuing the matter through the present petition, therefore, any limitation in any one of the proceedings, if initiated by the petitioner against respondents No. 4 to 6, shall be considered by excluding the period spent in the present proceedings.

(RAJBIR SEHRAWAT)
JUDGE

15.10.2018
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No