

CRM-M-21200-2016

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

CRM-M-21200-2016

Date of Decision: 08th January, 2018

Manpreet Singh

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. J.S. Thind, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASI, J. (ORAL)

The present petition has been filed under Section 482 of the Code of Criminal Procedure for seeking the protection to the life and liberty of the petitioner and his family members from the hands of respondents No.8 to 14. Prayer has also been made for issuing direction for proper investigation of the case and taking action against respondents No.8 to 14.

It is the contention of the learned counsel for the petitioner that although the brother of the petitioner has been involved in FIR No. 19 dated 22.02.2016, under Sections 457 and 380 of the Indian Penal Code, registered at Police Station Gate Hakiman, Amritsar City. He contends that

thereafter, the father of the petitioner Dilbagh Singh was given beatings who was got medically examined with the Civil Hospital Kasel, District Tarn Taran. The statement of Dr. Gurwinder Singh, dated 08.09.2016 (Annexure R-2/T) indicates that some medical treatment was given to him, although it is further stated by the said doctor that no legal action was sought to be taken by the relatives of injured Dilbagh Singh or the petitioner as his signatures do not exist on the said document. He further contends that there is a contradictory statement of Dr. Nirmal Singh, Civil Hospital, Tarn Taran, according to which, Dilbagh Singh was admitted in the hospital for treatment, after being referred from CHC Jhabal and was examined by an ENT doctor, who found him normal and gave the required treatment till 21.06.2016. He contends that these are two contradictory statements of the medical doctors and that too of the Government hospital and therefore, the investigation as has been carried out by the official respondents appear to be not in consonance with the records. Prayer has, thus, been made for taking action against the private respondents and for issuing directions for proper investigation of the case.

On the other hand, counsel for the State submits that a thorough enquiry was got conducted into the matter and as per the investigation of ASI Balwinder Singh which was followed by ASI Sukhbir Singh, SHO Police Station Jhabal, District Tarn Taran, the allegations made by the petitioner have been found to be not sustainable.

Having considered the submissions made by the counsel for the parties, I am of the considered view that no directions are required to be

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issued in the present case as there is alternative legal remedy available to the petitioner, which he may avail of in accordance with law, if so advised.

The present petition is disposed of accordingly.

08th January, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No