

**CRM-M-32602-2017 (O&M)**

**Date of decision:19.12.2018**

Gagan and another

...Petitioners

## Versus

## State of Punjab and another

## ...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Mr. Prashant Vashisth, Advocate  
for the petitioners.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

\*\*\*\*\*

**RAJBIR SEHRAWAT, J. (ORAL)**

Present petition filed under Section 482 of Code of Criminal Procedure is for directing the respondent No.1 for taking appropriate legal action against respondent No.2 by further protecting the life and liberty of the petitioners.

Notice of motion was issued, vide order dated 05.09.2017.

Pursuant thereto, the State has filed reply, which is taken on record.

As per the reply filed by the State, the complainant/petitioners had approached the police against the owner of the petrol pump with the allegation that less quantity of petrol was being filled through machines; as compared to the standard measure. The allegations were regarding a scuffle having taken place. Thereafter, on the statement of the respondent, one FIR No. 277, dated 17.08.2017 under Sections 323, 341, 506 and 148 of IPC was registered in this matter, amongst others, against the petitioners.

In the same FIR, on the complaint of the petitioners, the case

was registered against the workers of the petrol pump as well.

Counsel for the State, being instructed by HC Gurmeet Singh, submits that in the FIR case, the challan has already been filed.

So far as the complaint of the petitioners is concerned, learned State counsel has pointed out the inquiry report, which was allegedly prepared after inquiry done by the police, wherein, it has been stated that filling of less petrol through the machines was found to be false. Hence, no further action was taken on the complaint of the petitioners.

In view of the above factual circumstances, no further orders are required in this case. Accordingly, the present petition is dismissed.

However, since the police claim to have made some inquiry, thereby denying the allegations levelled by the petitioners/complainant against the petrol pump owners, therefore, the petitioners would be at liberty to avail their alternate remedies regarding their grievance against petrol pump owners, if any, in accordance with law.

**(RAJBIR SEHRAWAT)**  
**JUDGE**

**19.12.2018**

Hemlata

Whether speaking/reasoned  
Whether reportable

Yes / No  
Yes / No