

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

**CRM-M No.4012 of 2018
Date of Decision: 01.02.2018**

Harchand Singh

.....Petitioner

Vs

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Mehar Singh, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Prayer made in this petition is for issuance of appropriate directions to respondents No.2 and 3 for registration of FIR against respondents No.4 to 6.

Learned counsel for the petitioner submitted that a complaint was filed before the Commissioner of Police, Ludhiana on 09.01.2013 for registration of case against respondents No.4 to 6 in the context of their efforts to withdraw the amount of Rs.15,65,000/- through a cheque. Preliminary report of investigation was submitted to the Station House Officer. Registration of case was recommended for the offences under Sections 406, 420, 120-B IPC. Thereafter, Station House

Officer, Haibowal also conducted the investigation and vide report dated 08.08.2013, he also recommended for registration of FIR against the accused for the offences under Sections 406, 420 IPC. Needful was not done and for the precise grievance, a representation was made before the Commissioner of Police, Ludhiana.

Notice of motion.

On the asking of Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent-State. Let requisite copies of petition be supplied to him by learned counsel for the petitioner during course of the day.

In view of nature of order which this Court proposes to pass there is no necessity of calling upon any reply from respondents No.1 to 3.

At this stage, without meaning anything on the merits of the case, this petition can be disposed of by directing respondent No.2 to have a fair look on the representation filed by the petitioner. If any cognizable offence is found to have been committed, then in such an eventuality, respondent No.3 can be asked to act in accordance with law. If no cognizable offence is found to have been committed by the private respondents, then the complainant/petitioner be informed as per parameters laid down in **Lalita Kumari v. Govt. of U.P. (2014)**

2 SCC (1). It is made clear that respondent No.2 shall take appropriate steps without being influenced by any statement of fact recorded hereinabove.

Petition stands disposed of accordingly.

February 01, 2018
Prince

(RAJ MOHAN SINGH)
JUDGE

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