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

**COCP No.3450 of 2017
Date of Decision: 30.08.2019**

Karnail Singh

Petitioner

Versus

Surjit singh, SSP (Rural), Jagraon, District Ludhiana and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Aditya Dassaur, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The petitioner approached this Court by filing CRWP No.697 of 2017 for issuance of writ in the nature of Habeas Corpus for release of Harbans Kaur-detenuue from unlawful detention. The said writ petition was disposed of vide order dated 04.09.2017. The order is reproduced as under:-

“Senior Superintendent of Police, Ludhiana (Rural) is directed to enquire into the matter in view of the report submitted by the Warrant Officer and then to take necessary action against the wrong doers within a period of two months from the date of receipt of copy of this order.

The petition stands disposed of.”

In pursuance of the order of this Court, an inquiry was conducted by the Superintendent of Police Headquarters, Ludhiana (Rural). The said inquiry report was put up before the Senior Superintendent of Police, Ludhiana (Rural) who was not satisfied with the said inquiry and constituted a Special Investigation Team (SIT). After investigating the matter, the SIT submitted its report dated 01.12.2017.

Both the reports i.e. prepared by the Superintendent of Police (HQ), Ludhiana (Rural) endorsed by the Senior Superintendent of Police, Ludhiana (Rural) and report of SIT have been placed on record. In the initial report, the Enquiry Officer found that Jarnail Singh was careless in his duties, but SIT had concluded in its report that he was not at fault.

Learned counsel for the petitioner states that Senior Superintendent of Police, Ludhiana (Rural) has no jurisdiction to doubt the inquiry held by the Superintendent of Police (HQ), Ludhiana (Rural) and to constitute a SIT.

The said arguments cannot be gone into the present contempt petition as the ambit is limited to the extent that directions were issued to inquire into the matter and take necessary action against the wrong doers.

In view of above, the contempt petition is disposed of.

The petitioner would be at liberty to avail remedies in accordance with law against action of the Senior Superintendent of Police, Ludhiana (Rural) and to challenge the report submitted by the

SIT.

The rule issued against the respondents stands discharged.

**[AVNEESH JHINGAN]
JUDGE**

August 30, 2019

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |