

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

CRM-M-22682-2019

Date of decision: August 19, 2019

Gurmukh Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Hoshiar Singh, Advocate for respondents No.7 and 8.

Mr. Arshdeep Bhullar, Advocate for respondent No.9.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of directions to the official respondents to take legal action in FIR No.5 dated 8.1.2013 under Sections 420/120-B IPC, registered at Police Station Lakho Ke Behram, District Ferozepur and to provide protection to the life and liberty of the petitioner.

As per the averments in the petition, the petitioner, on an earlier occasion, filed CRM-M-8614-2012, which was decided on 4.9.2012 with the observation that as appropriate action has been taken by the police, the petition is rendered infructuous.

A perusal of petition further shows that in pursuance thereof, the present FIR No.5 dated 8.1.2013 was registered and, thereafter, the petitioner filed another CRM-M-10259-2014 praying for issuance of directions to the respondent to take action and expedite the proceedings in the aforesaid FIR No.5 dated 8.1.2013. The said petition was also disposed of on 12.8.2014 noticing the fact that the police has filed the cancellation

report and the same will be filed before the trial Court within one month thereafter. Accordingly, while disposing of this petition, liberty was granted to the petitioner to avail his remedy before the trial Court.

Reply by way of affidavit of the District Social Security officer, Ferozpur is on record and as per the reply, the private respondents have already deposited the entire amount on 11.4.2013.

Learned State counsel, on instructions from ASI Balbir Singh, has submitted that the police, after investigation, has submitted the cancellation report before the Illaqua Magistrate on 9.12.2017, in which notice was given to the complainant-petitioner for 15.1.2018 and, thereafter, the trial Court directed further investigation by exercising its power under Section 173(8) Cr.P.C.

The police, thereafter, re-conducted the investigation and again prepared the cancellation report on 13.7.2019 and the same is submitted before the trial Court and the trial Court has issued notice to the complainant for 26.8.2019.

Since the petitioner was earlier directed to avail his remedy before the trial Court vide order dated 12.8.2014 passed in CRM-10259-2014, this petition is rendered infructuous.

However, liberty is granted to the petitioner to approach the trial Court for redressal of his grievances, if any.

(ARVIND SINGH SANGWAN)
JUDGE

August 19, 2019
satish

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