

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 1995 of 2019
Date of decision: 11.12.2019

Sukhminder Kaur

.. Petitioner

v.

Varinder Singh Brar

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vishal Gupta, Advocate for the petitioner.
Ms. Deepali Puri, Addl. Advocate General, Punjab.

...

AVNEESH JHINGAN, J. (Oral)

Apprising this Court with regard to action taken against defaulting officials and in pursuance to order dated 30.9.2019, compliance report dated 10.12.2019 by way of affidavit of Mr. Sandeep Goel, PPS, Senior Superintendent of Police, District Ludhiana (Rural) filed is taken on record. Copy of the same handed over to learned counsel for the petitioner. In the affidavit, it has been stated that orders for punishment of permanent forfeiture of one year service for annual increment to ASI Hardeep Singh No. 1538/Batala and punishment of censure to Inspector Harjinder Singh No. 439 RR, Sub Inspector Ajaib Singh No. 460 and Head Constable Balraj Singh 709/Ludhiana (Rural) MHC, Police Station, Dakha have been passed.

Brief facts of the case are that the petitioner filed CRM-M-30684 of 2018 seeking direction to protect life and property of the petitioner at the hands of the private respondents (in the criminal petition). The petition was disposed of on 14.11.2018. The relevant portion of the order is reproduced below:

“Heard.

The petitioner has projected her case on the basis of revenue record. Concededly, civil litigation is also pending between the parties. Thus, without observing anything on the merits of the case lest it may prejudice the interest of the parties, the present petition is disposed of with a direction to respondent No. 3 Senior Superintendent of Police, Police District Jagraon, District Ludhiana to look into the contents of representation dated 28.6.2018 (Annexure P-10) and to act in accordance with law.”

From the order quoted above, it is evident that the Court took notice of the fact that civil litigation is pending between the parties, yet the Superintendent of Police, Jagraon, District Ludhiana was directed to look into the contents of representation dated 28.6.2018.

The present petition is filed pleading that needful has not been done by the respondent.

Short reply by way of affidavit of Mr. Varinder Singh Brar, PPS, Senior Superintendent of Police, District Ludhiana (Rural) was filed annexing enquiry report dated 6.11.2018.

Learned counsel for the State submits that the representation made by the petitioner was looked into, the petitioner was not able to

substantiate the allegations made in the representation. Further considering that litigation with regard to the ownership of the land was already pending, it was concluded that no action is needed on representation.

Learned counsel for the petitioner raises a grievance against the enquiry report stating that facts have not been correctly appreciated.

The said aspect cannot be gone into in the contempt proceedings. There is substantial compliance of the directions of this Court.

No further interference is called for, the same is dismissed.

(AVNEESH JHINGAN)
JUDGE

11.12.2019
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No