

116.

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

CRM-M-37764-2019

Date of decision: 06.09.2019.

AMRIK SINGH AND ANOTHER

... Petitioners

versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. K.B.S. Mann, Advocate, for the petitioners.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of direction to the official respondents No.2 and 3 to conduct fair and proper investigation in FIR No.101 dated 05.07.2019 registered under Section 376-D of IPC at Police Station Arniwala, District Fazilka and to take necessary legal action against respondents No.4 and 5.

Counsel for the petitioners submits that the aforesaid FIR was registered at the behest of Rajjo Bai, making false allegations against the petitioners and now the said complainant Rajjo Bai has submitted an affidavit dated 10.07.2019 (Annexure P-4) to the effect that four persons, as referred in the FIR, are not the accused in the case and, therefore, she does not want to take any legal action against them. Counsel states that the petitioners have falsely been named as accused in the FIR by the complainant-Rajjo Bai at the behest of respondent No.5 with whom the petitioners are having several disputes, as detailed in representation (Annexure P-2).

At this stage, counsel for the petitioners further submits that the petitioners would be satisfied in case Senior Superintendent of Police, Fazilka i.e. respondent No.3, be directed to look into the allegations, so made by the complainant.

Notice of motion only to respondents No.1 to 3 at this stage.

At the asking of the Court, Mr. Sukhbeer Singh, AAG, Punjab, accepts notice on behalf of these respondents.

Let requisite number of copies of paper book be given to learned State counsel during the course of the day.

Lest it may prejudice the interest of either of the parties and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.3-Senior Superintendent of Police, Fazilka to have a fair and proper investigation in the case under his supervision and said investigation be carried out by a person not below the rank of Inspector.

On completion of investigation, appropriate legal action be taken in the case accordingly.

(HARI PAL VERMA)
JUDGE

06.09.2019
sanjeev

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