

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

CRM-M No.7165 of 2020 (O&M)

Date of Decision: 17.02.2020

Kanwar Dalip Singh Baweja

.....Petitioner

Vs

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Umesh Aggarwal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

By way of filing the present petition under Article 226 of the Constitution of India, the petitioner seeks issuance of necessary directions to respondents No.2 to take appropriate action against respondent No.3 in the context of complaint moved by the petitioner before respondent No.2 who was marked to EO Wing II, Amritsar vide Diary No.1550-COP dated 25.03.2019 and Diary No.3942-COP dated 23.07.2018.

Notice of motion to respondents No.1 to 3.

On asking of the Court, Mr. Jagmohan Singh Ghumman, DAG, Punjab accepts notice on behalf of State-respondents No.1 to 3.

In the very nature of allegations and in view of nature of order which this Court proposes to pass at this stage, there is no necessity to call upon any response from the official respondents.

This petition is disposed of with a direction to respondent No.2 to consider the complaint of the petitioner on merits. If some cognizable offence is made out then the concerned SHO be directed to act in accordance with law. If no cognizable offence is made out, then the petitioner be informed in terms of parameters laid down in **Lalita Kumari vs. Govt. of U.P. (2014) 2 SCC (1).**

Respondent No.2 would be at liberty to assess the situation even by associating the concerned persons in the process of enquiry/investigation and thereafter, shall take independent view without being influenced any observation made hereinabove in accordance with law.

The present petition stands disposed of accordingly.

February 17, 2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No