

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

CRM-M-24718-2018

Date of decision: February 05,2020

Gangabishan and another

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Abhilaksh Grover, Advocate for Mr. K.L. Saini, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of direction to respondents No.2 to 4 to protect the life and liberty of the petitioners and to take appropriate legal action on the representation dated 22.2.2018 filed by the petitioners against respondents No. 5 to 8.

It is stated in the petition that the private respondents are harassing the petitioners with regard to the investigation in FIR.

Separate replies by way of affidavit dated 26.9.2019 of Deputy Superintendent of Police, Railways (H), Headquartes, Ambala Cantt on behalf of respondent No.4, affidavit dated 30.9.2019 of Deputy Superintendent of Police (Headquarters), Hisar on behalf of respondents No. 2 and 3 as well as separate reply on behalf of respondents No.5 to 8 are filed.

As per the reply filed by the Deputy Superintendent of Police, Railways (Headquarters), Ambala Cantt, it is stated that no representation dated 22.2.2018 was received levelling the allegations by the petitioners regarding extortion of money by respondents No.5 to 8 for settlement of some matter. A preliminary enquiry was conducted by the Deputy Superintendent of Police, GRP (Headquarters) Ambala Cantt. and on the basis of the same, regular department enquiry was initiated and respondents

No.5 to 7 were put under suspension vide order dated 6.4.2015 for the charges of extortion from petitioner-Gangabishan in FIR No.8 dated 15.1.2013 under Sections 302/34 IPC, GRP, Karnal. During the course of regular enquiry, complainant-petitioner No.1 Gangabishan appeared and he did not support the allegation of extortion of money as per the statement (Annexure R-2). Petitioner No.1 resiled from the contents of his complaint, wherein he has levelled allegations of extortion of money by respondents No.5 to 7 from him.

Thereafter, another complaint was received by the Additional Director General of Police, Railways & Commando (Headquarters), Panchkula on 24.10.2017 and on conducting the enquiry, the then Superintendent of Police, Railways, Haryana, Ambala Cantt entrusted the enquiry to the Deputy Superintendent of Police, GRP, Hisar and it was found that petitioner No.1/complainant is moving repeated complaints from time to time by changing his statements. It is further submitted that both the enquiries were filed by the Superintendent of Police, Railways (H) vide order dated 21.8.2015 and by the Additional Director General of Police, Railways, Haryana, Panchkula vide order dated 6.2.2018.

In view of the same, no further action is called for.

However, it will be open for the petitioners to approach the Police Authorities if they feel any threat to their life and liberty for taking appropriate action.

February 05, 2020
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No