

S.No.212

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

CRM-M-17127 of 2020 (O&M)

Date of Decision:23.09.2020

Harvinder Kumar

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Deepan Singh Sidhu, Advocate for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 482 Cr.P.C for seeking direction to respondent No.3 to take into consideration the representation (Annexure P.3) submitted by the petitioner and to take action in accordance with law.

On the last date of hearing, notice of motion was issued and a direction was issued to District & Sessions Judge, Ludhiana to convene a mediation between the parties by appointing a mediator, to settle the dispute. A report in this regard was called for.

In compliance of the previous order, report from District and Sessions Judge, Ludhiana has been received in which it is stated that the efforts of mediation between the parties have failed.

Learned State Counsel has submitted that the State is rightly proceeding with the FIR No.89 dated 03.06.2020 registered under Sections 279/188/427 IPC at Police Station Tibba, District Ludhiana.

A bare perusal of the present case shows that the prayer made in the petition is for direction to the Police to take into consideration the representation made by the petitioner. This Court finds the prayer to be not maintainable; in the first instance. There is no provision in the Cr.P.C for direction to consider representation made by or on behalf of the accused during investigation of the case. Moreover, the present petition has been filed, statedly, by father of the accused in this case. This also shows that the petitioner does not have any locus standi to approach the Court, as such.

In view of the above, this Court does not find any substance in the petition so as to proceed further with the matter.

Dismissed.

September 23, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No