

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

CRM-M-41501-2020

Date of decision:-11.12.2020

Gurdawar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.G.S. Randhawa, Advocate
for the petitioner.

Mr.J.P. Ratra, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition under Section 482 Cr.P.C. has been filed by petitioner Gurdawar Singh, aged about 60 years, son of Sh.Gian Singh, resident of village Masani, Tehsil Phillaur, District Jalandhar against State of Punjab, DGP, Punjab, Deputy Superintendent of Police, Phillaur, Senior Superintendent of Police, District Jalandhar (Rural), SHO, Police Station Goraya, District Jalandhar (Rural) as well as against nine other private respondents, craving for issuance of directions to official respondents to decide the representation dated 1.6.2020, copy Annexure P3 and for staying the inquiry conducted by respondent No.4 Senior Superintendent of Police, District Jalandhar (Rural), during the pendency of the present petition..

Notice of motion to respondent No.1 to 5.

Mr.J.P. Ratra, DAG, Punjab, accepts notice on behalf of

respondents No.1 to 5. He informed that as per instructions given to him by SI Narinder Pal, a cancellation report in the matter has been prepared, which is awaiting approval of Senior Superintendent of Police, District Jalandhar (Rural).

Under the circumstances, the present petition is disposed of with the observation that if Senior Superintendent of Police, District Jalandhar (Rural) approves filing of cancellation report, then on its submission in the Court of Area Magistrate, the notice thereof is to be given to the complainant, who can then file protest petition, which is required to be disposed of in accordance with law by the Area Magistrate.

The petitioner has got an other option of filing a private complaint in the matter. However, the cancellation has since been not filed and Senior Superintendent of Police, District Jalandhar (Rural) may or may not agree with the investigation conducted so far and he can direct further investigation in the matter.

Under the circumstances, at this stage, no direction to the official respondents is required to be given. Senior Superintendent of Police, District Jalandhar (Rural) is expected to take decision in the matter at the earliest.

With these observations, the present petition is disposed of accordingly.

11.12.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No