

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

**CRM-M-48962-2019
Date of decision: 12.02.2020**

Baljit Singh

...Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

Mr. Vibhav Jain, Advocate &
Mr. Satyam Aneja, Advocate
for respondent No. 5.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of directions to the official respondents to protect the life and liberty of the petitioner at the instance of respondent Nos. 5 to 7 and to take appropriate legal action against respondents No. 6 and 7 for misusing their powers with a further prayer to decide the representation/complaint dated 15.10.2019 (Annexure P-13).

Reply, filed by way of affidavit of DSP, Nawanshahr Sub-Division, District Nawanshahr, is on record. As per reply, an inquiry was conducted by the DSP, in which it was found that there is a civil suit pending between the parties and they are already litigating before the Civil Court and vide inquiry report dated 07.06.2019, it was recommended that the complaint filed by respondent No. 5 be filed and the same was approved by SSP, Nawanshahr and thereafter, on 10.06.2019, the said complaint was filed.

Learned counsel for the petitioner further submits that since the

complaint filed by respondent No. 5 has already been filed by the police as per reply of DSP, respondent No. 5 has filed a fresh complaint against the petitioner, which is pending before the Mohali Police.

Learned counsel for the petitioner submits that in the said scenario, there is no occasion for the Mohali Police to conduct fresh inquiry on the complaint of respondent No. 5.

Learned State counsel submits that on a complaint given by the petitioner against respondent Nos. 6 and 7, i.e. DSP (Detective), Mohali and his Reader, with the allegations that they are putting unnecessary pressure on the petitioner to settle some dispute with respondent No. 5, an inquiry is pending before the SP(I), Mohali.

Since the main grievance of the petitioner in the present petition is relating to complaint given by respondent No. 5, which has already been filed by the SSP, Nawanshahr in view of the fact that the dispute is purely of civil nature, this Court finds no scope for a second inquiry by Mohali Police on the complaint of respondent No. 5, which is on the same subject matter.

Accordingly, this petition is disposed of with a direction to respondent No. 3 Senior Superintendent of Police, Mohali to file the complaint of respondent No. 5.

However, the inquiry, which is pending against respondent Nos. 6 and 7 on the complaint of the petitioner, will be brought to a logical end.

12.02.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*