

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-319-2020
Date of decision : 07.09.2021

DAVINDER BINDAL AND OTHERS

.....Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Dinesh Kumar, Advocate
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J (ORAL)

Prayer in this petition, filed under Articles 226/227 of Constitution of India, is for issuance of direction to the respondent No.2/Director General of Police, Police Headquarter Sector:-6, Panchkula, Haryana to hold a fair investigation in the complaint dated 06.01.2020 (Annexure P-2).

It is submitted on behalf of the petitioner that the petitioner was running a partnership firm in the name and style of M/s. Tirupati Polymer in Himachal Pradesh and some proceedings are pending against him under SARFAESI Act on account of non-payment of amount having been declared NPA.

It is further stated that respondent No.5, in connivance with the Police, has given a complaint and on that account, he has given a

representation to the higher police officer.

Reply on behalf of respondents No. 1 to 4, by way of an affidavit by Virender Vij, Superintendent of Police, Kaithal, has already been filed and as per the reply, it is stated that in fact respondent No.5- Mukesh Kumar has given a complaint on 24.12.2019 (Annexure-R/1/1) regarding mis-appropriation of Rs. 3 crores by the petitioner for sending few persons abroad and in order to avoid that inquiry, the petitioner has filed this petition.

It is further submitted that respondent No.6-Shiv Kumar, who is stated to be Head Constable, is in fact Sub Inspector in Haryana Police, who himself is the Inquiry Officer and has given a notice to the petitioner in a complaint given by respondent No.5.

In view of the same, I find no bona fide in the complaint given by the petitioner and accordingly, this petition is disposed of as having been rendered infructuous.

(ARVIND SINGH SANGWAN)
JUDGE

07.09.2021

tarun sahani

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No